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THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

12° & 13° VICTORIÆ, 1850.

VOL. CVIII.

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THE THIRTY-FIRST DAY OF JANUARY,

TO

THE TWENTY-FIFTH DAY OF FEBRUARY, 1850.

First Volume of the Session.

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THE MINISTRY.

IN THE CABINET.

First Lord of the Treasury	Right Hon. Lord John Russell.
Lord Chancellor	Right Hon. Lord Cottenham.
Chancellor of the Exchequer	Right Hon. Sir Charles Wood, Bt.
President of the Council	Most Hon. Marquess of Lansdowne.
Privy Seal	Right Hon. Earl of Minto.
Home Secretary	Right Hon. Sir George Grey, Bt.
Foreign Secretary	Right Hon. Viscount Palmerston.
Colonial Secretary	Right Hon. Earl Grey.
First Lord of the Admiralty	Right Hon. Sir Francis Thornhill Baring, Bt.
Chancellor of the Duchy of Lancaster	Right Hon. Lord Campbell.
President of the Board of Control	Right Hon. Sir John Cam Hobhouse, Bt.
Chief Commissioner of Woods, Forests, &c.	Right Hon. Earl of Carlisle.
Postmaster General	Most Hon. Marquess of Clanricarde.
President of the Board of Trade	Right Hon. Henry Labouchere.

NOT IN THE CABINET.

Commander in Chief	Duke of Wellington.
Master General of the Ordnance	Most Hon. Marquess of Anglesey.
Paymaster of the Forces, and Vice-President of the Board of Trade	Right Hon. Earl Granville.
Master of the Mint	Right Hon. Richard Lalor Sheil.
Secretary at War	Right Hon. Fox Maule.
Chief Secretary for Ireland	Right Hon. Sir William Meredyth Somerville, Bt.
Joint Secretaries of the Treasury	Right Hon. William Goodenough Hayter, and Henry Tufnell, Esq.
Secretary of the Admiralty	John Parker, Esq.
Under Secretary for the Home Department	George Cornewall Lewis, Esq.
Under Secretary for Foreign Affairs	Right Hon. Lord Eddisbury.
Under Secretary for the Colonies	Benjamin Hawes, Esq.
Secretaries of the Board of Control	Hon. J. E. Elliot, and James Wilson, Esq.
Lords of the Treasury	William Gibson Craig, Esq., Henry Rich, Esq., and Richard Montesquieu Bellew, Esq.
Lords of the Admiralty	Rear Admiral James Whitley Deans Dundas, Rear Admiral Maurice Frederick Fitzhardinge Berkeley, Captain Houston Stewart, Captain Alexander Milne, and Hon. William Francis Cowper.
Surveyor General of the Ordnance	Major General Charles Richard Fox.
Clerk of the Ordnance	Hon. Colonel George Anson.
Attorney General	Sir John Jervis, Knt.
Solicitor General	Sir John Romilly, Knt.
Judge-Advocate General	Right Hon. Sir David Dundas, Knt.
Chief Poor Law Commissioner	Right Hon. Matthew Talbot Baines.

SCOTLAND.

Lord Advocate of Scotland	Right Hon. Andrew Rutherfurd.
Solicitor General for Scotland	Thomas Maitland, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Clarendon.
Lord Chancellor	Right Hon. Maziere Brady.
Attorney General	Right Hon. James Henry Monahan.
Solicitor General	John Hatchell, Esq.

QUEEN'S HOUSEHOLD.

Lord Chamberlain	Most Hon. Marquess of Breadalbane.
Lord Steward	Right Hon. Earl Fortescue.
Master of the Horse	Duke of Norfolk.
Master of the Buckhounds	Right Hon. Earl of Bessborough.
Vice-Chamberlain	Right Hon. Lord Edward Howard.
Treasurer of the Household	Right Hon. Lord Arthur Marcus Cecil Hill.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Duchess of Sutherland.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

In the *Third Session* of the *Fifteenth Parliament* of the United Kingdom of *Great Britain* and *Ireland*.

13° VICTORIÆ, 1850.

His Royal Highness The Prince of Wales.

His Royal Highness Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness Adolphus Frederick Duke of Cambridge.

John Bird Archbishop of Canterbury.

Charles Christopher Lord Cottenham, *Lord Chancellor.*

Thomas Archbishop of York.

John George Archbishop of Armagh.

Henry Marquess of Lansdowne, *Lord President of the Council.*

Gilbert Earl of Minto, *Lord Privy Seal.*

Henry Charles Duke of Norfolk, *Earl Marshal of England.*

Edward Adolphus Duke of Somerset.

Charles Duke of Richmond.

Henry Duke of Grafton.

Henry Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

Francis Godolphin D'Arcy Duke of Leeds.

Francis Duke of Bedford.

William Spencer Duke of Devonshire.

George Duke of Marlborough.

John Henry Duke of Rutland.

Alexander Duke of Brandon. (*Duke of Hamilton.*)

William Henry Cavendish Duke of Portland.

George Duke of Manchester.

Henry Pelham Duke of Newcastle.

Algernon Duke of Northumberland.

Arthur Duke of Wellington.

Richard Plantagenet, Duke of Buckingham and Chandos.

George Granville Duke of Sutherland.

Henry Duke of Cleveland.

John Marquess of Breadalbane, *Lord Chamberlain of the Household.*

John Marquess of Winchester.

George Marquess of Tweeddale. (*Elected for Scotland.*)

Henry Marquess of Lansdowne. (*In another place as Lord President of the Council.*)

George Ferrars Marquess Townshend.

James Brownlow William Marquess of Salisbury.

John Alexander Marquess of Bath.

James Marquess of Abercorn.

Richard Marquess of Hertford.

John Patrick Marquess of Bute.

Brownlow Marquess of Exeter.

Spencer Joshua Alwyne Marquess of Northampton.

George Charles Marquess Camden.

Henry William Marquess of Anglesey.

George Horatio Marquess of Cholmondeley.

Paulyn Reginald Serlo Marquess of Hastings.

Charles Marquess of Ailesbury.

George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)

Frederick William Marquess of Bristol.

Archibald Marquess of Ailsa.

John Marquess of Breadalbane. (*In another place as Lord Chamberlain of the Household.*)

Richard Marquess of Westminster.

Constantine Henry Marquess of Normanby.

James Andrew Marquess of Dalhousie.

Hugh Earl Fortescue, *Lord Steward of the Household.*

John Earl of Shrewsbury.

Edward Earl of Derby.

Francis Theophilus Henry Earl of Huntingdon.

Robert Henry Earl of Pembroke and Montgomery.

William Earl of Devon.

Thomas Earl of Suffolk and Berkshire.

William Basil Percy Earl of Denbigh.

John Earl of Westmoreland.

George Augustus Frederick Albemarle Earl of Lindsey.

George Harry Earl of Stamford and Warrington.

George William Earl of Winchilsea and Nottingham.

George Earl of Chesterfield.

John William Earl of Sandwich.

Arthur Algernon Earl of Essex.

James Thomas Earl of Cardigan.

George William Frederick Earl of Carlisle.

Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)

Cropley Earl of Shaftesbury.

———— Earl of Berkeley.

Montagu Earl of Abingdon.

John Savile Earl of Scarborough.

William Charles Earl of Albemarle.

George William Earl of Coventry.

George Earl of Jersey.

John Earl Poulett.

George Sholto Earl of Morton. (*Elected for Scotland.*)

Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)

David Earl of Leven and Melville. (*Elected for Scotland.*)

Dunbar James Earl of Selkirk. (*Elected for Scotland.*)

Thomas John Earl of Orkney. (*Elected for Scotland.*)

Francis William Earl of Seafield. (*Elected for Scotland.*)

Alfred Earl of Oxford and Earl Mortimer.

Washington Sewallis Earl Ferrers.

William Earl of Dartmouth.

Charles Augustus Earl of Tankerville.

Heneage Earl of Aylesford.

George Augustus Earl Cowper.

Philip Henry Earl Stanhope.

Robert Earl of Harborough.

Thomas Earl of Macclesfield.

George William Richard Earl of Pomfret.

James Earl Graham. (*Duke of Montrose.*)

William Earl Waldegrave.

Bertram Earl of Ashburnham.

Charles Earl of Harrington.

John Charles Earl of Portsmouth.

Henry Richard Earl Brooke and Earl of Warwick.

George Robert Earl of Buckinghamshire.

Charles William Earl Fitzwilliam.

Francis Earl of Guilford.

James Earl Cornwallis.

Charles Philip Earl of Hardwicke.

Henry Stephen Earl of Ilchester.

George John Earl De Lawarr.

William Earl of Radnor.

Frederick Earl Spencer.

Henry George Earl Bathurst.

Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

Henry John Earl Talbot.

George Augustus Frederick John Earl Strange. (*Duke of Athol.*) (*Lord Glenlyon.*)

Ernest Augustus Earl of Mount Edgcumbe.

Hugh Earl Fortescue. (*In another place as Lord Steward of the Household.*)

Edward Earl of Digby.
George Earl of Beverley.
Henry Howard Molyneux Earl of Carnarvon.
Charles Cecil Cope Earl of Liverpool.
George Earl Cadogan.
James Howard Earl of Malmesbury.
George John Danvers Earl of Lanesborough. (*Elected for Ireland.*)
Francis William Earl of Charlemont. (*Lord Charlemont.*) (*Elected for Ireland.*)
Stephen Earl of Mount Cashell. (*Elected for Ireland.*)
John Earl of Erne. (*Elected for Ireland.*)
John Otway O'Connor Earl of Desart. (*Elected for Ireland.*)
William Earl of Wicklow. (*Elected for Ireland.*)
George Charles Earl of Lucan. (*Elected for Ireland.*)
James Earl of Bandon. (*Elected for Ireland.*)
James Dupré Earl of Caledon. (*Elected for Ireland.*)
James Alexander Earl of Rosslyn.
William Earl of Craven.
Arthur George Earl of Onslow.
Charles Earl of Romney.
Henry Thomas Earl of Chichester.
Thomas Earl of Wilton.
Edward James Earl of Powis.
Horatio Earl Nelson.
William Earl of Rosse. (*Elected for Ireland.*)
Charles William Earl of Charleville. (*Elected for Ireland.*)
Charles Herbert Earl Manvers.
Horatio Earl of Orford.
Henry Earl Grey.
William Earl of Lonsdale.
Dudley Earl of Harrowby.
Henry Earl of Harewood.
Gilbert Earl of Minto. (*In another place as Lord Privy Seal.*)
Charles Murray Earl Cathcart.
James Walter Earl of Verulam.
John Earl Brownlow.
Edward Granville Earl of Saint Germans.
Edmund Earl of Morley.
George Augustus Frederick Henry Earl of Bradford.
John Reginald Earl Beauchamp.
Richard Earl of Glengall. (*Elected for Ireland.*)
Thomas Philip Earl De Grey.
John Earl of Eldon.
George Henry Earl of Falmouth.
Richard William Penn Earl Howe.
John Sommers Earl Sommers.
John Edward Cornwallis Earl of Stradbroke.
Windham Henry Earl of Dunraven. (*Elected for Ireland.*)
Charles William Earl Vane. (*Marquess of Londonderry.*)
William Pitt Earl Amherst.
John Frederick Earl Cawdor.
William George Earl of Munster.
William Earl of Burlington.
Robert Earl of Camperdown.
Thomas William Earl of Lichfield.
George Frederick D'Arcy Earl of Durham.
Frederick John Earl of Ripon.
Granville George Earl Granville.
Henry Earl of Effingham.
Henry George Francis Earl of Ducie.
Charles Anderson Worsley Earl of Yarborough.
James Henry Robert Earl Innes. (*Duke of Roxburghe.*)
Thomas William Earl of Leicester.
William Earl of Lovelace.
Thomas Earl of Zetland.
Charles Noel Earl of Gainsborough.
William Fitzhardinge Earl Fitzhardinge.
Edward Earl of Ellenborough.
Francis Earl of Ellesmere.
John Earl of Strafford.

Robert Viscount Hereford.
James Viscount Strathallan. (*Elected for Scotland.*)
Henry Viscount Bolingbroke and St. John.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)
Henry Viscount Maynard.

John Robert Viscount Sidney.
Francis Wheler Viscount Hood.
John Viscount De Vesci. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
John Bruce Richard Viscount O'Neill. (*Elected for Ireland.*)
Edward Jervis Viscount St. Vincent.
Robert Viscount Melville.
William Leonard Viscount Sidmouth.
Robert Edward Viscount Lorton. (*Elected for Ireland.*)
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
John Hely Viscount Hutchinson. (*Earl of Donoughmore.*)
William Carr Viscount Beresford.
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Stapleton Viscount Combermere.
Charles John Viscount Canning.
Charles John Viscount Canterbury.
John Viscount Ponsonby.
Rowland Viscount Hill.
Henry Viscount Hardinge.
Hugh Viscount Gough.

Charles James Bishop of London.
Edward Bishop of Durham.
Charles Richard Bishop of Winchester.
John Bishop of Lincoln.
Christopher Bishop of Bangor.
Hugh Bishop of Carlisle.
George Bishop of Rochester.
Richard Bishop of Bath and Wells.
James Henry Bishop of Gloucester and Bristol.
Henry Bishop of Exeter.
Charles Thomas Bishop of Ripon.
Edward Bishop of Salisbury.
George Bishop of Peterborough.
Connop Bishop of St. David's.
Henry Bishop of Worcester.
Ashurst Turner Bishop of Chichester.
John Bishop of Lichfield.
Thomas Bishop of Ely.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
John Bishop of Chester.
Samuel Bishop of Norwich.
Richard Bishop of Derry and Raphoe.
Robert Bishop of Down, Connor, and Dromore.
William Bishop of Limerick, Ardfert, and Aghadoe.

William Lennox Lascelles Lord De Ros.
Jacob Lord Hastings.
George Edward Lord Audley.
Peter Robert Lord Willoughby de Eresby.
Thomas Lord Dacre.
Charles Rodolph Lord Clinton.
Thomas Lord Camoys.
Miles Thomas Lord Beaumont.
Charles Lord Stourton.
Henry Lord Berners.
Henry Peyto Lord Willoughby de Broke.
George Lord Vaux of Harrowden.
Henry Lord Paget.
St. Andrew Beauchamp Lord St. John of Bletso.
Charles Augustus Lord Howard de Walden.
William Francis Henry Lord Petre.
Frederick Benjamin Lord Saye and Sele.
Henry Benedict Lord Arundell of Wardour.
John Lord Clifton. (*Earl of Darnley.*)
Joseph Thaddeus Lord Dormer.
George Henry Lord Teynham.
George William Lord Stafford.
George Anson Lord Byron.
William Lord Ward.
Hugh Charles Lord Clifford of Chudleigh.
Alexander George Lord Saltoun. (*Elected for Scotland.*)
John Lord Gray. (*Elected for Scotland.*)
Charles Lord Sinclair. (*Elected for Scotland.*)
John Lord Elphinstone. (*Elected for Scotland.*)
John Lord Rollo. (*Elected for Scotland.*)
Henry Francis Lord Polwarth. (*Elected for Scotland.*)

Edmund Lord Boyle. (*Earl of Cork and Orrery.*)
Thomas Robert Lord Hay. (*Earl of Kinnoul.*)
Digby Lord Middleton.
William John Lord Monson.
Henry Lord Montfort.
George William Frederick Lord Bruce.
George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*)
George John Lord Sondes.
Nathaniel Lord Scarsdale.
George Lord Boston.
Henry Edward Lord Holland.
George James Lord Lovel and Holland. (*Earl of Egmont.*)
George John Lord Vernon.
George Douglas Lord Sundridge. (*Duke of Argyll.*)
Edward William Lord Hawke.
Thomas Henry Lord Foley.
George Talbot Lord Dynevor.
Thomas Lord Walsingham.
William Lord Bagot.
Charles Lord Southampton.
Fletcher Lord Grantley.
Robert Dennett Lord Rodney.
Richard Noel Lord Berwick.
John Lord Sherborne.
Henry Lord Tyrone. (*Marquess of Waterford.*)
Richard Lord Carleton. (*Earl of Shannon.*)
Edward Lord Suffield.
Guy Lord Dorchester.
George Lord Kenyon.
Richard Lord Braybrooke.
George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)
James Lord Douglas of Douglas.
Henry Hall Lord Gage. (*Viscount Gage.*)
Henry Thomas Lord Thurlow.
Robert John Lord Auckland.
George William Lord Lyttelton.
Henry Lord Mendip. (*Viscount Clifden.*)
Francis Lord Stuart of Castle Stuart. (*Earl of Moray.*)
Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)
James Thomas Lord Saltersford. (*Earl of Courtown.*)
Charles Lord Brodrick. (*Viscount Midleton.*)
George Lord Calthorpe.
Robert John Lord Carrington.
Henry Lord Bayning.
William Powlett Lord Bolton.
John Lord Wodehouse.
John Lord Northwick.
Thomas Atherton Lord Lilford.
Thomas Lord Ribblesdale.
John Lord Fitzgibbon. (*Earl of Clare.*)
Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)
Henry Lord Farnham. (*Elected for Ireland.*)
John Cavendish Lord Kilmaine. (*Elected for Ireland.*)
Robert Lord Clonbrock. (*Elected for Ireland.*)
Edward Lord Crofton. (*Elected for Ireland.*)
Henry Lord Dunalley. (*Elected for Ireland.*)
Eyre Lord Clarina. (*Elected for Ireland.*)
Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)
John Henry Loftus Lord Loftus. (*Marquess of Ely.*)
John Lord Carysfort. (*Earl of Carysfort.*)
William Lord Alvanley.
George Ralph Lord Abercromby.
John Thomas Lord Redesdale.
George Lord Rivers.
Arthur Moyses William Lord Sandys.
George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)
David Montagu Lord Erskine.
George John Lord Mont Eagle. (*Marquess of Sligo.*)
Archibald William Lord Ardrossan. (*Earl of Eglintoun.*)
James Lord Lauderdale. (*Earl of Lauderdale.*)
George Arthur Hastings Lord Granard. (*Earl of Granard.*)
Hungerford Lord Crewe.
Alan Legge Lord Gardner.
John Thomas Lord Manners.
John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)
Richard Lord Castlemaine. (*Elected for Ireland.*)

George Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Henry Tennison Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

Frederic James Lord Melbourne. (*Viscount Melbourne.*)

George Francis Robert Lord Harris.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

John Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

Robert Lord Kingston. (*Earl of Kingston.*)

Edward Michael Lord Silchester. (*Earl of Longford.*)

George Augustus Federick John Lord Glenlyon. (*In another place as Earl Strange.*) (*Duke of Athol.*)

William Lord Maryborough. (*Earl of Mornington.*)

John Lord Oriel. (*Viscount Massareene and Ferrard.*)

Thomas Henry Lord Ravensworth.

Thomas Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Ulysses Lord Downes. (*Elected for Ireland.*)

Nicholas Lord Bexley.

Robert Francis Lord Gifford.

Percy Clinton Sydney Lord Penshurst. (*Viscount Strangford.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Balcarres.*)

Thomas Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

John Lord Wharncliffe.

William Lord Feversham.

John Singleton Lord Lyndhurst.

James Lord Fife. (*Earl of Fife.*)

John Henry Lord Tenterden.

William Conyngham Lord Plunket.

Thomas Lord Melros. (*Earl of Haddington.*)

Henry Richard Charles Lord Cowley.

William Lord Heytesbury.

Archibald John Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

Henry Lord Brougham and Vaux.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

Charles William Lord Sefton. (*Earl of Sefton.*)

Nathaniel Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

John Chambre Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Robert Montgomery Lord Hamilton. (*Lord Belhaven and Stenton.*)

John Hobart Lord Howden.

William Lord Panmure.

George Warwick Lord Poltimore.

Edward Price Lord Mostyn.

Henry Spencer Lord Templemore.

William Lewis Lord Dinorben.

Valentine Browne Lord Cloncurry.

James Lord De Saumarez.

Francis Godolphin Lord Godolphin.

Lucius Lord Hunsdon. (*Viscount Falkland.*)

Edward Geoffrey Lord Stanley.

Thomas Lord Denman.

Robert Campbell Lord Abinger.

Philip Charles Lord De L'Isle ley.

William Bingham Lord Ashburton

Charles Lord Glenelg.

Edward John Lord Hatherton.

Archibald Lord Worlingham. (*In another place as Lord Acheson.*) (*Earl of Gosford.*)

Charles Christopher Lord Cottenham. (*In another place as Lord Chancellor.*)

Henry Lord Langdale.

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

Francis William Lord Charlemont. (*In another place as Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

Cornelius Lord Lismore. (*Viscount Lismore.*)

Henry Robert Lord Rossmore.

Robert Shapland Lord Carew.

William Francis Spencer Lord De Mauley.

John Lord Wrottesley.

Charles Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Frederic James Lord Beauvale. (*In another place as Lord Melbourne.*) (*Viscount Melbourne.*)

John Thomas Lord Stanley of Alderley.

Henry Lord Stuart de Decies.

Chandos Lord Leigh.

Paul Beilby Lord Wenlock.

Charles Lord Lurgan.

Nicholas William Lord Colborne.

Arthur Lord De Freyne.

James Lord Dunfermline.

Thomas Lord Monteagle of Brandon.

John Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Campbell.

John Lord Oxenfoord. (*Earl of Stair.*)

Valentine Lord Kenmare. (*Earl of Kenmare.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Archibald Lord Acheson. (*In another place as Lord Worlingham.*) (*Earl of Gosford.*)

Richard Lord Dartrey. (*Lord Cremorne.*)

Richard Bulkeley Philipps Lord Milford.

Edward John Lord Eddisbury

James Lord Elgin. (*Earl of Elgin and Kincardine.*)

Frederic Temple Lord Clandeboye. *Lord Dufferin and Clandeboye.*)

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to the *Fifteenth Parliament* of the United Kingdom of *Great Britain and Ireland:* Amended to the Opening of the Third Session on the 31st Day of January, 1850.

ABINGDON.
Sir Frederic Thesiger, knt.

ANDOVER.
Henry Beaumont Coles,
William Cubitt.

ANGLESEY.
Sir Richard Bulkeley Williams Bulkeley, bt.

ARUNDEL.
Hon. Henry Granville (Fitzalan Howard) Earl of Arundel and Surrey.

ASHBURTON.
Thomas Matheson.

ASHTON-UNDER-LINE.
Charles Hindley.

AYLESBURY.
Quintin Dick,
Hon. George (Nugent Grenville) Lord Nugent.

BANBURY.
Henry William Tancred.

BARNSTAPLE.
Richard Bremridge,
Hon. John William Fortescue.

BATH.
Hon. Anthony (Ashley Cooper) Lord Ashley,
Hon. Adam (Duncan) Viscount Duncan.

BEAUMARIS.
Hon. (George Augustus Frederick Paget) Lord G. A. F. Paget.

BEDFORDSHIRE.
Hon. John Hume (Cust) Viscount Alford,
Francis Charles Hastings Russell.

BEDFORD.
Sir Harry Verney, bt.,
Henry Stuart.

BERKSHIRE.
Robert Palmer,
Rt. hon. William (Keppel) Viscount Barrington,
Philip Pusey.

BERWICK-UPON-TWEED.
Matthew Forster,
John Campbell Renton,

BEVERLEY.
John Towneley,
Sackville Walter Lane Fox.

BEWDLEY.
Hon. William Drogo (Montague) Viscount Mandeville.

BIRMINGHAM.
George Frederick Muntz,
William Scholefield.

BLACKBURN.
John Hornby,
James Pilkington.

BODMIN.
James Wyld,
Henry Charles Lacy

BOLTON-LE-MOORS.
Stephen Blair.
Sir Joshua Walmsley, knt.

BOSTON.
Hon. Dudley Anderson Pelham,
Benjamin Bond Cabbell.

BRADFORD.
William Busfeild,
Thomas Perronet Thompson.

BRECKNOCKSHIRE.
Joseph Bailey.

BRECON.
John Lloyd Vaughan Watkins.

BRIDGENORTH.
Thos. Charlton Whitmore,
Sir Robert Pigot, bt.

BRIDGEWATER.
Charles Jn. Kemys Tynte,
Henry Broadwood.

BRIDPORT.
Alexander Dundas Ross Wishart Baillie Cochrane,
Thomas Alexander Mitchell.

BRIGHTHELMSTONE.
Sir George Richard Pechell, bt.
Hon. (Alfred Hervey) Lord A. Hervey.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
Philip William Skynner Miles.

BUCKINGHAMSHIRE.
Caledon George Du Pré,
Hon. Charles Compton Cavendish,
Benjamin Disraeli.

BUCKINGHAM.
Hon. Richard Plantagenet Campbell (Chandos-Grenville) Marquess of Chandos,
John Hall.

BURY.
Richard Walker.

BURY ST. EDMUND'S.
Rt. hon. Frederick William (Hervey) Earl Jermyn,
Edward Herbert Bunbury.

CALNE.
Hon. Henry Petty (Fitzmaurice) Earl of Shelburne.

CAMBRIDGESHIRE.
Hon. Eliot Thomas Yorke,
Richard Greaves Townley,
Hon. (George John Manners) Lord G. J. Manners.

CAMBRIDGE (UNIVERSITY).
Hon. Charles Ewan Law,
Rt. hon. Henry Goulburn.

CAMBRIDGE.
Robert Alexander Shafto Adair,
Hon. William Frederick Campbell.

CANTERBURY.
Hon. (Albert Denison Denison) Lord A. D. Denison,
Hon. George Augustus Frederick Percy Sydney Smythe.

CARDIFF.
Rt. hon. John Nicholl.

CARDIGANSHIRE.
William Edward Powell.

CARDIGAN.
Pryse Loveden

CARLISLE.
William Nicholson Hodgson,
Philip Henry Howard.

CARMARTHENSHIRE.
Hon. George Rice Rice Trevor,
David Arthur Saunders Davies.

CARMARTHEN.
David Morris.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas Pennant.

CARNARVON.
William Bulkeley Hughes.

CHATHAM.
Rt. hon. George Stevens (Byng) Viscount Enfield.

CHELTENHAM.
Charles Lennox Grenville Berkeley.

CHESHIRE.
(Northern Division.)
William Tatton Egerton,
George Cornwall Legh.

(Southern Division.)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
Sir John Jervis, knt.

CHICHESTER.
John Abel Smith,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

CHIPPENHAM.
Joseph Neeld,
Henry George Boldero.

CHRISTCHURCH.
Hon. Edward Alfred John Harris.

CIRENCESTER.
John Randolph Mullings,
Hon. George Augustus Frederick (Villiers) Viscount Villiers.

CLITHEROE.
Matthew Wilson.

COCKERMOUTH.
Henry Aglionby Aglionby,
Edward Horsman.

COLCHESTER.
Sir George Henry Smyth, bt.,
Joseph Alfred Hardcastle.

CORNWALL.
(Eastern Division.)
William Henry Pole Carew,
Thomas James Agar Robartes.

(Western Division.)
Edward William Wynne Pendarves,
Sir Charles Lemon, bt.

COVENTRY.
Rt. hon. Edward Ellice,
George James Turner.

CRICKLADE.
John Neeld,
Ambrose Lethbridge Goddard.

CUMBERLAND.
(Eastern Division.)
Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)
Edward Stanley,
Henry Lowther.

DARTMOUTH.
George Moffatt.

DENBIGHSHIRE.
Sir Watkin Williams Wynn,
Hon. William Bagot.

DENBIGH.
Frederick Richard West.

DERBYSHIRE.
(Northern Division.)
Hon. George Henry Cavendish,
William Evans.

(Southern Division.)
William Mundy,
Charles Robert Colville.

DERBY.
Michael Thomas Bass,
Lawrence Heyworth.

DEVIZES.
George Heneage Walker Heneage,
James Bucknall Bucknall Estcourt.

DEVONPORT.
Henry Tufnell,
Sir John Romilly, kt.

DEVONSHIRE.
(Northern Division.)
Sir Thomas Dyke Acland, bt.,
Lewis William Buck.

(Southern Division.)
Sir John Buller Yarde Buller, bt.
Sir Ralph Lopes, bt.

DORCHESTER.
Rt. hon. George Lionel Dawson Damer,
Henry Gerard Sturt.

DORSETSHIRE.
George Bankes,
Henry Ker Seymer,
John Floyer.

DOVOR.
Edward Royd Rice,
Rt. hon. Sir George Clerk, bt.

DROITWICH.
Sir John Somerset Pakington, bt.

DUDLEY.
John Benbow.

DURHAM.
(Northern Division.)
Robert Duncombe Shafto,
Hon. George Henry Robert Charles (Vane) Viscount Seaham.

(Southern Division.)
Hon. (Harry George Vane) Lord H. G. Vane,
James Farrer.

DURHAM (CITY).
Thomas Colpitts Granger,
Henry John Spearman.

ESSEX.
(Northern Division.)
Sir John Tyssen Tyrell, bt.,
William Beresford.

(Southern Division.)
Thomas William Bramston,
Sir Edward North Buxton, bt.

EVESHAM.

Rt. hon. (Arthur Marcus Cecil Hill), Lord A. M. C. Hill.
Sir Henry Pollard Willoughby, bt.

EXETER.

Sir John Thomas Buller Duckworth, bt.,
Edward Divett.

EYE.

Sir Edward Kerrison, bt.

FINSBURY.

Thomas Wakley,
Thos. Slingsby Duncombe.

FLINTSHIRE.

Hon. Edward Mostyn Lloyd Mostyn.

FLINT.

Sir John Hanmer, bt.

FROME.

Hon. Robert Edward Boyle.

GATESHEAD.

William Hutt.

GLAMORGANSHIRE.

Hon. Edward Richard Wyndham (Wyndham Quin) Viscount Adare,
Christopher Rice Mansel Talbot.

GLOUCESTERSHIRE.

(*Eastern Division.*)

Christopher William Codrington,
Hon. Henry Charles Fitzroy (Somerset) Marquess of Worcester.

(*Western Division.*)

Robert Blagden Hale,
Hon. George Charles Grantley Fitzhardinge Berkeley.

GLOUCESTER.

Henry Thomas Hope,
Hon. Maurice Frederick Fitzhardinge Berkeley.

GRANTHAM.

Glynne Earle Welby,
Hon. Frederick James Tollemache.

GREENWICH.

James Whitley Deans Dundas,
Edward George Barnard.

GRIMSBY (GREAT).

Edward Heneage.

GUILDFORD.

Henry Currie,
Ross Donnelly Mangles.

HALIFAX.

Henry Edwards,
Rt. hon. Sir Charles Wood, bt.

HAMPSHIRE.

(*Northern Division.*)

Rt. hon. Charles Shaw Lefevre,
Melville Portal.

(*Southern Division.*)

Hon. (Charles Wellesley) Lord C. Wellesley,
Henry Combe Compton.

HARWICH.

John Bagshaw,
Rt. hon. Sir John Cam Hobhouse, bt.

HASTINGS.

Robert Hollond,
Musgrave Briscoe.

HAVERFORDWEST.

John Evans.

HELSTON.

Sir Richard Rawlinson Vyvyan, bt.

HEREFORDSHIRE.

Joseph Bailey, jun.,
Francis Richard Haggitt Wegg Prosser,
George Cornewall Lewis.

HEREFORD.

Sir Robert Price, bt.,
Henry Morgan Clifford.

HERTFORDSHIRE.

Sir Henry Meux, bt.,
Thomas Plumer Halsey,
Thomas Brand.

HERTFORD.

Hon. Philip Henry (Stanhope) Viscount Mahon,
Hon. William Francis Cowper.

HONITON.

Joseph Locke,
Sir James Weir Hogg, bt.

HORSHAM.

Hon. (Edward Howard) Lord E. Howard.

HUDDERSFIELD.

William Rookes Crompton Stansfield.

HUNTINGDONSHIRE.

Edward Fellowes,
George Thornhill.

HUNTINGDON.

Jonathan Peel,
Thomas Baring.

HYTHE.

Edward Drake Brockman.

IPSWICH.

John Chevallier Cobbold,
Hugh Edward Adair.

KENDAL.

George Carr Glyn.

KENT.

(*Eastern Division.*)

John Pemberton Plumptre,
William Deedes.

(*Western Division.*)

Sir Edmund Filmer, bt.,
Thomas Law Hodges.

KIDDERMINSTER

John Best.

KING'S LYNN.

Hon. Edward Henry Stanley,
Hon. Robert (Jocelyn) Viscount Jocelyn.

KINGSTON-UPON-HULL.

James Clay,
Right hon. Matthew Talbot Baines.

KNARESBOROUGH.

Hon. William Saunders Sebright Lascelles,
Joshua Proctor Westhead.

LAMBETH.

Charles Pearson,
Rt. hon. Charles Tennyson D'Eyncourt.

LANCASHIRE.

(*Northern Division.*)

John Wilson Patten,
James Heywood.

(*Southern Division.*)

William Brown,
Alexander Henry.

LANCASTER.

Robert Baynes Armstrong,
Thomas Greene.

LAUNCESTON.

William Bowles.

LEEDS.

William Beckett,
James Garth Marshall.

LEICESTERSHIRE.

(*Northern Division.*)

Hon. (Charles Henry Somerset Manners) Lord C. H. S. Manners,
Edward Basil Farnham.

(*Southern Division.*)

Sir Henry Halford, bt.,
Charles William Packe.

LEICESTER.
Richard Harris,
John Ellis.

LEOMINSTER.
George Arkwright,
Frederick Peel.

LEWES.
Hon. Henry Fitzroy,
Robert Perfect.

LICHFIELD.
Hon. (Alfred Henry Paget) Lord A. H. Paget,
Hon. Thomas William (Anson) Viscount Anson.

LINCOLNSHIRE.
(Parts of Lindsey.)
Robert Adam Christopher,
Sir Montague John Cholmeley, bt.

(Parts of Kesteven and Holland.)
Hon. William Alleyne (Cecil) Lord Burghley,
Sir John Trollope, bt.

LINCOLN.
Charles De Laet Waldo Sibthorp,
Thomas Benjamin Hobhouse.

LISKEARD.
Richard Budden Crowder.

LIVERPOOL.
Edward Cardwell,
Sir Thomas Bernard Birch, bt.

LONDON.
Rt. hon. (John Russell) Lord J. Russell,
Sir James Duke, bt.,
Lionel Nathan (Baron) De Rothschild,
John Masterman.

LUDLOW.
Henry Bayley Clive,
Henry Salwey.

LYME REGIS.
Thomas Neville Abdy.

LYMINGTON.
Hon. George Thomas Keppel,
William Alexander Mackinnon.

MACCLESFIELD.
John Brocklehurst, jun.,
John Williams.

MAIDSTONE.
Alexander James Beresford Hope,
George Dodd.

MALDON.
David Waddington,
Thomas Barrett Lennard.

MALMESBURY.
Hon. James Kenneth Howard.

MALTON.
John Walbanke Childers,
John Evelyn Denison.

MANCHESTER.
Rt. hon. Thomas Milner Gibson,
John Bright.

MARLBOROUGH.
Hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Brownlow William Knox.

MARYLEBONE.
Hon. (Dudley Coutts Stuart) Lord D. C. Stuart,
Sir Benjamin Hall, bt.

MERIONETHSHIRE.
Richard Richards.

MERTHYR TYDVIL.
Sir Josiah John Guest, bt.

MIDDLESEX.
Rt. hon. (Robert Grosvenor) Lord R. Grosvenor,
Ralph Bernal Osborne.

MIDHURST.
Spencer Horatio Walpole.

MONMOUTHSHIRE.
Charles Octavius Swinnerton Morgan,
Edward Arthur Somerset.

MONMOUTH.
Reginald James Blewitt.

MONTGOMERYSHIRE.
Rt. hon. Charles Watkin Williams Wynn.

MONTGOMERY.
David Pugh.

MORPETH.
Hon. Edward George Granville Howard.

NEWARK-UPON-TRENT.
Hon. John Henry Thomas Manners Sutton,
John Stuart.

NEWCASTLE-UNDER-LYME.
Samuel Christy,
William Jackson.

NEWCASTLE-UPON-TYNE.
William Ord,
Thomas Emerson Headlam.

NEWPORT.
William Henry Chicheley Plowden,
Charles Wykeham Martin.

NORFOLK.
(Eastern Division.)
Henry Negus Burroughes,
Edmund Wodehouse.

(Western Division.)
William Bagge,
Hon. Edward Keppell Wentworth Coke.

NORTHALLERTON.
William Battye Wrightson.

NORTHAMPTONSHIRE.
(Northern Division.)
Thomas Philip Maunsell,
Stafford Augustus O'Brien Stafford.

(Southern Division.)
Sir Charles Knightley, bt.,
Richard Henry Richard Howard Vyse.

NORTHAMPTON.
Raikes Currie,
Rt. Hon. Robert Vernon Smith.

NORTHUMBERLAND.
(Northern Division.)
Rt. hon. Sir George Grey, bt.,
Hon. Charles (Bennett) Lord Ossulston.

(Southern Division.)
Matthew Bell,
Savile Craven Henry Ogle.

NORWICH.
Samuel Morton Peto,
Hon. Arthur Richard (Wellesley) Marquess of Douro.

NOTTINGHAMSHIRE.
(Northern Division.)
Thomas Houldsworth,
Hon. (Henry William Cavendish Bentinck) Lord H. W. C. Bentinck.

(Southern Division.)
Robert Bromley,
Thomas Blackburne Thornton Hildyard.

NOTTINGHAM.
John Walter,
Feargus O'Connor.

OLDHAM.
William Johnson Fox,
John Duncuft.

OXFORDSHIRE.

Hon. Montague (Bertie) Lord Norreys,
George Granville Vernon Harcourt,
Joseph Warner Henley.

OXFORD (CITY).

James Haughton Langston,
William Page Wood.

OXFORD (UNIVERSITY).

Sir Robert Harry Inglis, bt.,
Rt. Hon. William Ewart Gladstone.

PEMBROKESHIRE.

Hon. John Frederick Vaughan (Campbell) Viscount Emlyn.

PEMBROKE.

Sir John Owen, bt.

PENRYN AND FALMOUTH.

Howell Gwyn,
Francis Mowatt.

PETERBOROUGH.

Hon. George Wentworth Fitzwilliam,
William George Cavendish.

PETERSFIELD.

Sir William George Hylton Jolliffe, bt.

PLYMOUTH.

Hon. Hugh (Fortescue) Viscount Ebrington,
Roundel Palmer.

PONTEFRACT.

Samuel Martin,
Richard Monckton Milnes.

POOLE.

George Richard Robinson,
Sir George Richard Philips, bt.

PORTSMOUTH.

Rt. hon. Sir Francis Thornhill Baring, bt.,
Sir George Thomas Staunton, bt.

PRESTON.

Sir George Strickland, bt.,
Charles Pasco Grenfell.

RADNORSHIRE.

Sir John Benn Walsh, bt.

RADNOR (NEW).

Rt. Hon. Sir Thomas Frankland Lewis, bt.

READING.

Francis Pigott,
John Frederick Stanford.

REIGATE.

Hon. Thomas Somers Cocks.

RETFORD (EAST).

Hon. Arthur Duncombe,
Rt. Hon. George Edward Arundell (Monckton-Arundell) Viscount Galway.

RICHMOND.

Henry Rich,
Marmaduke Wyvill, jun.

RIPON.

Rt. hon. Sir James Robert Graham, bt.,
Hon. Edwin Lascelles.

ROCHDALE.

William Sharman Crawford.

ROCHESTER.

Ralph Bernal,
Thomas Twisden Hodges.

RUTLANDSHIRE.

Gilbert John Heathcote,
Hon. Gerard James Noel.

RYE.

Herbert Mascall Curteis.

ST. ALBAN'S.

Alexander Raphael,
George William John Repton.

ST. IVES.

Hon. (William John Frederic) Lord W. J. F. Powlett.

SALFORD.

Joseph Brotherton.

SALISBURY.

William James Chaplin,
Charles Baring Wall.

SALOP, OR SHROPSHIRE.

(Northern Division.)

William Ormsby Gore,
John Whitehall Dod.

(Southern Division.)

Hon. Robert Henry Clive,
Hon. Orlando George Chas. (Bridgeman) Viscount Newport.

SANDWICH.

Hon. (Clarence Edward Paget) Lord C. E. Paget,
Charles William Grenfell.

SCARBOROUGH.

Sir John Vanden Bempde Johnstone, bt.,
Hon. George Augustus Constantine Henry (Phipps) Earl of Mulgrave.

SHAFTESBURY.

Richard Brinsley Sheridan.

SHEFFIELD.

John Parker,
John Arthur Roebuck.

SHIELDS (SOUTH).

John Twizell Wawn.

SHOREHAM (NEW).

Sir Charles Merrik Burrell, bt.,
Hon. (Alexander Francis Charles Gordon Lennox) Lord A. F. C. G. Lennox.

SHREWSBURY.

Edward Holmes Baldock,
Robert Aglionby Slaney.

SOMERSETSHIRE.

(Eastern Division.)

William Miles,
William Pinney.

(Western Division.)

Charles Aaron Moody,
Sir Alexander Hood, bt.

SOUTHAMPTON.

Alexander James Edmund Cockburn,
Brodie M'Ghie Willcox.

SOUTHWARK.

John Humphery,
Sir William Molesworth, bt.

STAFFORDSHIRE.

(Northern Division.)

Charles Bowyer Adderley,
Hon. George Granville Francis (Egerton) Viscount Brackley.

(Southern Division.)

Hon. William Walter (Legge) Viscount Lewisham,
Hon. George Anson.

STAFFORD.

David Urquhart,
Thomas Sidney.

STAMFORD.

Hon. Charles Cecil John (Manners) Marquess of Granby,
Rt. hon. John Charles Herries.

STOCKPORT.

James Heald,
James Kershaw.

STOKE-UPON-TRENT.

John Lewis Ricardo,
William Taylor Copeland.

STROUD.

William Henry Stanton,
George Poulett Scrope.

SUFFOLK.

(Eastern Division.)

Rt. Hon. Frederick (Thellusson) Lord Rendlesham,
Edward Sherlock Gooch.

(Western Division.)

Harry Spencer Waddington,
Philip Bennet, jun.

SUNDERLAND.

Sir Hedworth Williamson, bt.,
George Hudson.

SURREY.

(Eastern Division.)

Hon. Peter John Locke King,
Thomas Alcock.

(Western Division.)

William John Evelyn,
Henry Drummond.

SUSSEX.

(Eastern Division.)

Augustus Elliott Fuller,
Charles Hay Frewen.

(Western Division.)

Hon. Charles Henry (Gordon Lennox) Earl of March,
Richard Prime.

SWANSEA.

John Henry Vivian.

TAMWORTH.

Rt. hon. Sir Robert Peel, bt.,
John Townsend.

TAUNTON.

Rt. hon. Henry Labouchere,
Sir Thomas Edward Colebrooke, bt.

TAVISTOCK.

Hon. Edward Southwell Russell,
John Salusbury Trelawny.

TEWKESBURY.

John Martin,
Humphrey Brown.

THETFORD.

Hon. William Henry (Fitzroy) Earl of Euston,
Hon. Francis Baring.

THIRSK.

John Bell.

TIVERTON.

John Heathcoat,
Rt. hon. Henry John (Temple) Viscount Palmerston.

TOTNESS.

Hon. Edward Adolphus (Seymour) Lord Seymour,
Charles Barry Baldwin.

TOWER HAMLETS.

George Thompson,
Sir William Clay, bt.

TRURO.

John Ennis Vivian,
Humphrey Willyams.

TYNEMOUTH.

Ralph William Grey.

WAKEFIELD.

George Sandars.

WALLINGFORD.

William Seymour Blackstone.

WALSALL.

Hon. Edward Richard Littleton.

WAREHAM.

John Samuel Wanley Sawbridge Erle Drax.

WARRINGTON.

Gilbert Greenall.

WARWICKSHIRE.

(Northern Division.)

Charles Newdigate Newdegate,
Richard Spooner.

(Southern Division.)

Hon. Heneage (Finch) Lord Guernsey
Hon. George Guy (Greville) Lord Brooke.

WARWICK.

William Collins,
Sir Charles Eurwicke Douglas, knt.

WELLS.

Rt. hon. William Goodenough Hayter,
Richard Blakemore.

WENLOCK.

Hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.

James Wilson.

WESTMINSTER.

Sir De Lacy Evans, K.C.B.,
Charles Lushington.

WESTMORELAND.

Hon. Henry Cecil Lowther,
William Thompson.

WEYMOUTH AND MELCOMBE REGIS.

William Lockyer Freestun,
Hon. Frederick William Child Villiers.

WHITBY.

Robert Stephenson.

WHITEHAVEN.

Robert Charles Hildyard.

WIGAN.

Hon. James Lindsey,
Ralph Anthony Thicknesse.

WIGHT (ISLE OF).

John Simeon.

WILTON.

Hon. James Charles Herbert Welbore Ellis (Agar) Viscount Somerton.

WILTSHIRE.

(Northern Division.)

Walter Long,
Thomas Henry Sutton Sotheron.

(Southern Division.)

Rt. hon. Sidney Herbert,
John Benett.

WINCHESTER.

John Bonham Carter,
Sir James Buller East, bt.

WINDSOR.

George Alexander Reid,
Hon. (John Hay) Lord J. Hay.

WOLVERHAMPTON.

Hon. Charles Pelham Villiers,
Thomas Thornely.

WOODSTOCK.

Hon. John Winston (Spencer Churchill) Marquess of Blandford.

WORCESTERSHIRE.

(Eastern Division.)

George Rushout,
John Hodgetts Hodgetts Foley.

(Western Division.)

Hon. Henry Beauchamp Lygon,
Frederick Winn Knight.

WORCESTER.

Osman Ricardo,
Francis Rufford.

WYCOMBE (CHIPPING).

George Henry Dashwood,
Martin Tucker Smith.

YARMOUTH (GREAT).

Charles Edward Rumbold,
Joseph Sandars.

YORKSHIRE.

(North Riding.)

Edward Stillingfleet Cayley,
Hon. Octavius Duncombe.

YORKSHIRE—*continued.*

(*East Riding.*)

Henry Broadley,
Rt. hon. Beaumont (Hotham) Lord Hotham.

(*West Riding.*)

Edmund Becket Denison,
Richard Cobden.

YORK.

William Mordaunt Edward Milner,
John George Smyth.

SCOTLAND.

ABERDEENSHIRE.

Hon. William Gordon.

ABERDEEN.

Alexander Dingwall Fordyce.

ARGYLLSHIRE.

Duncan MacNeill.

AYRSHIRE.

Alexander Oswald.

AYR, &c.

Hon. (Patrick James Herbert Crichton Stuart) Lord P. J. H. C. Stuart.

BANFFSHIRE.

James Duff.

BERWICKSHIRE.

Hon. Francis Scott.

BUTESHIRE.

Rt. hon. James Archibald Stuart Wortley.

CAITHNESS-SHIRE.

George Trail.

CLACKMANNAN AND KINROSS SHIRES.

William Morrison.

CUPAR, &c.

Edward Ellice.

DUMBARTONSHIRE.

Alexander Smollett.

DUMFRIES-SHIRE.

Hon. Archibald William (Douglas) Viscount Drumlanrig.

DUMFRIES, &c.

William Ewart.

DUNDEE.

George Duncan.

DYSART, &c.

Robert Ferguson.

EDINBURGHSHIRE.

Sir John Hope, bt.

EDINBURGH.

Charles Cowan,
William Gibson Craig.

ELGINSHIRE AND NAIRNE.

Charles Lennox Cumming Bruce.

ELGIN, &c.

George Skene Duff.

FIFESHIRE.

John Fergus.

FORFARSHIRE.

Hon. (John Frederick Gordon Hallyburton) Lord J. F. Gordon.

GLASGOW.

John M'Gregor,
Alexander Hastie.

GREENOCK.

Hon. William Hugh (Kynynmond) Viscount Melgund.

HADDINGTONSHIRE.

Hon. Francis Charteris.

HADDINGTON, &c.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.

Henry James Baillie.

INVERNESS, &c.

Alexander Matheson.

KINCARDINESHIRE.

Hon. Hugh Arbuthnott.

KIRKCUDBRIGHT.

Thomas Maitland.

KIRKWALL, WICK, &c.

James Loch.

LANARKSHIRE.

William Lockhart.

LEITH, &c.

Rt. hon. Andrew Rutherfurd.

LINLITHGOWSHIRE.

George Dundas.

LINLITHGOW, &c.

Rt. hon. Henry (Pelham Fynes Pelham Clinton) Earl of Lincoln.

MONTROSE, &c.

Joseph Hume.

ORKNEY AND SHETLAND.

Arthur Anderson.

PAISLEY.

Archibald Hastie.

PEEBLES-SHIRE.

William Forbes Mackenzie.

PERTHSHIRE.

Henry Home Drummond.

PERTH.

Rt. hon. Fox Maule.

RENFREWSHIRE.

William Mure.

RENFREW, &c.

Hon. Edward Pleydell Bouverie.

ROSS AND CROMARTY-SHIRES.

James Matheson.

ROXBURGHSHIRE.

Hon. John Edmund Elliot.

SELKIRKSHIRE.

Allan Eliott Lockhart.

STIRLINGSHIRE.

William Forbes.

STIRLING, &c.

John Benjamin Smith.

SUTHERLANDSHIRE.

Sir David Dundas, Knt.

WIGTONSHIRE.

John Dalrymple.

WIGTON, &c.

Sir John MacTaggart, bt.

IRELAND.

ANTRIM.

Nathaniel Alexander,
Sir Edmund Charles Workman Macnaghten, bt.,

ARMAGH.

Sir William Verner, bt.,
James Molyneux Caulfield.

ARMAGH (CITY).

John Dawson Rawdon.

ATHLONE.

William Keogh.

BANDON BRIDGE.

Hon. Francis (Bernard) Viscount Bernard.

BELFAST.

Robert James Tennent,
Hon. (John Ludford Chichester) Lord J. L. Chichester.

CARLOW.

Henry Bruen,
William Bunbury MacClintock Bunbury.

CARLOW (BOROUGH).

John Sadleir.

CARRICKFERGUS.

Hon. Wellington Henry Stapleton Cotton.

CASHELL.

Timothy O'Brien.

CAVAN.

Sir John Young, bt.,
Hon. James Pierce Maxwell.

CLARE.

Sir Lucius O'Brien,
William Nugent M'Namara.

CLONMEL.
Hon. Cecil John Lawless.

COLERAINE.
John Boyd.

CORK COUNTY.
Edmund Burke Roche,
Maurice Power.

CORK (CITY).
William Fagan,
James Charles Chatterton.

DONEGAL.
Sir Edmund Samuel Hayes, bt.
Thomas Conolly.

DOWNSHIRE.
Rt. hon. Frederick William Robert (Stewart) Viscount Castlereagh,
Hon. (Arthur Edwin Hill) Lord A. E. Hill.

DOWNPATRICK.
Richard Ker.

DROGHEDA.
Rt. hon. Sir William Meredyth Somerville, bt.

DUBLIN.
James Hans Hamilton,
Thomas Edward Taylor.

DUBLIN (CITY).
Edward Grogan,
John Reynolds.

DUBLIN (UNIVERSITY).
George Alex. Hamilton,
Joseph Napier.

DUNDALK.
William Torrens McCullagh.

DUNGANNON.
Hon. Thomas (Knox) Viscount Northland.

DUNGARVON.
Rt. hon. Richard Lalor Sheil.

ENNIS.
James Patrick O'Gorman Mahon (The O'Gorman Mahon).

ENNISKILLEN.
Hon. Henry Arthur Cole.

FERMANAGH.
Mervyn Edward Archdall,
Sir Arth. Brinsley Brooke, bt.

GALWAY.
Sir Thomas John Burke, bt.,
Christopher St. George.

GALWAY (BOROUGH).
Martin Joseph Blake,
Anthony O'Flaherty.

KERRY.
Henry Arthur Herbert,
Morgan John O'Connell.

KILDARE.
Hon. Charles William (Fitzgerald) Marquess of Kildare,
Richard Southwell Bourke.

KILKENNY.
John Greene,
Pierce Somerset Butler.

KILKENNY (BOROUGH).
Michael Sullivan.

KING'S (COUNTY).
Sir Andrew Armstrong, bt.,
Hon. John Craven Westenra.

KINSALE.
Benjamin Hawes.

LEITRIM.
Edward King Tenison,
Hon. Charles Skeffington Clements.

LIMERICK.
William Monsell,
Samuel Dickson.

LIMERICK (CITY).
John O'Connell,
John O'Brien.

LISBURN.
Sir Horace Beauchamp Seymour, knt.

LONDONDERRY.
Theobald Jones,
Thomas Bateson.

LONDONDERRY (CITY).
Sir Robert Alexander Ferguson, bt.

LONGFORD.
Samuel Winsley Blackall,
Richard Maxwell Fox.

LOUTH.
Rich. Montesquieu Bellew,
Chichester Fortescue.

MALLOW.
Sir Charles Denham Orlando Jephson Norreys, bt.

MAYO.
George Henry Moore,
Robert Dillon Browne.

MEATH.
Matthew Elias Corbally,
Henry Grattan.

MONAGHAN.
Charles Powell Leslie,
Hon. Thomas Vesey Dawson.

NEWRY.
Hon. Francis Jack (Needham) Viscount Newry and Morne.

PORTARLINGTON.
Francis Plunket Dunne.

QUEEN'S COUNTY.
Hon. Thomas Vesey,
Rt. hon. John Wilson Fitzpatrick.

ROSCOMMON.
Fitzstephen French,
Oliver Dowell John Grace.

ROSS (NEW).
John Hyacinth Talbot.

SLIGO.
William Richard Ormsby Gore,
John Ffolliott.

SLIGO (BOROUGH).
John Patrick Somers.

TIPPERARY.
Nicholas Maher,
Francis Scully.

TRALEE.
Maurice O'Connell.

TYRONE.
Rt. hon. Henry Thomas Lowry Corry,
Hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
Nicholas Maher Power,
Robert Keating.

WATERFORD (CITY).
Thomas Meagher,
Sir Henry Winston Barron, bt.

WESTMEATH.
William Henry Magan,
Sir Percy Fitzgerald Nugent, bt.

WEXFORD.
James Fagan,
Hamilton Knox Grogan Morgan.

WEXFORD (BOROUGH).
John Thomas Devereux.

WICKLOW.
Hon. William Thomas Spencer (Wentworth Fitzwilliam) Viscount Milton,
Sir Ralph Howard.

YOUGHALL.
Thomas Chisholm Anstey.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

THIRD SESSION OF THE *FIFTEENTH PARLIAMENT* OF
THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 21 SEPTEMBER, 1847, AND FROM THENCE
CONTINUED TILL 31 JANUARY, 1850, IN THE THIRTEENTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, January 31, 1850.

MINUTES.] *Introduced.*—The Lord Dufferin and Claneboye in Ireland being created Baron Clandeboye of the United Kingdom; the Bishop of Chester; the Bishop of Norwich.

Sat first in Parliament.—The Lord Methuen, after the death of his father; the Lord Alvanley, after the death of his brother.

Representative Peer for Ireland.—The Earl of Lanesborough *v.* Earl of Mayo, deceased—writ delivered.

Took the Oaths.—Several Lords.

PUBLIC BILLS.—1^{a} Bankrupt Law Consolidation; Select Vestries.

MEETING OF PARLIAMENT.

THE PARLIAMENT, which had been prorogued successively from the 1st of August to the 9th of October, from thence to the 20th of November, thence to the 16th of January, and from thence to the 31st January, met this day for despatch of business.

The Parliament was opened by Commission, the LORDS COMMISSIONERS present being the LORD CHANCELLOR; the LORD PRESIDENT OF THE COUNCIL (the Marquess of Lansdowne); the LORD PRIVY SEAL (the Earl of Minto); the LORD CHAMBERLAIN OF THE HOUSEHOLD (the Marquess of Breadalbane); and the LORD BISHOP OF LONDON.

THE COMMONS being at the Bar, with their Speaker, the LORD CHANCELLOR delivered the Speech of the LORDS COMMISSIONERS to both Houses of Parliament, as follows:—

"*My Lords, and Gentlemen,*

"WE are commanded by Her Majesty to assure you, that Her Majesty has great Satisfaction in again having recourse to the Advice and Assistance of Her Parliament.

"THE Decease of Her Majesty Queen *Adelaide* has caused Her Majesty deep Affliction. The extensive Charity and exemplary Virtues of Her late Majesty will always render Her Memory dear to the Nation.

"HER Majesty happily continues in Peace and Amity with Foreign Powers.

"In the course of the Autumn Differences of a serious Character arose between the Governments of *Austria* and *Russia* on the one hand, and the *Sublime Porte* on the other, in regard to the Treatment of a considerable Number of Persons who, after the Termination of the Civil War in *Hungary*, had taken refuge in the *Turkish* Territory.

"Explanations which took place between the *Turkish* and Imperial Governments have fortunately removed any Danger to the Peace of *Europe* which might have arisen out of these Differences.

"Her Majesty, having been appealed to on this Occasion by the Sultan, united Her Efforts with those of the Government of *France*, to which a similar Appeal had been made, in order to assist, by the Employment of Her good Offices, in effecting an amicable Settlement of those Differences in a Manner consistent with the Dignity and Independence of the Porte.

"Her Majesty has been engaged in Communications with Foreign States upon the Measures which might be rendered necessary by the Relaxation of the Restrictions formerly imposed by the Navigation Laws of this Country.

"The Governments of the United States of *America* and of *Sweden* have promptly taken Steps to secure to *British* Ships in the Ports of their respective Countries Advantages similar to those which their own Ships now enjoy in *British* Ports.

"With regard to those Foreign States whose Navigation Laws have hitherto been of a restrictive Character, Her Majesty has received from nearly all of them Assurances which induce Her to hope that our Example will speedily lead to a great and general Diminution of those Obstacles which previously existed to a free Intercourse by Sea between the Nations of the World.

"In the Summer and Autumn of the past Year, the United Kingdom was again visited by the Ravages of the Cholera; but Almighty God, in His Mercy, was pleased to arrest the Progress of Mortality, and to stay this fearful Pestilence. Her Majesty is persuaded that we shall best evince our Gratitude by vigilant Precautions against the more obvious Causes of Sickness, and an enlightened Consideration for those who are most exposed to its Attacks.

"Her Majesty, in Her late Visit to *Ireland*, derived the highest Gratification from the Loyalty and Attachment manifested by all Classes of Her Subjects. Although the Effects of former Years of Scarcity are painfully felt in that Part of the United Kingdom, they are mitigated by the present Abundance of Food, and the Tranquillity which prevails.

"Her Majesty has great Satisfaction in congratulating you on the improved Condition of Commerce and Manufactures. It is with Regret that Her Majesty has observed the Complaints which in many Parts of the Kingdom have proceeded from the Owners and Occupiers of Land. Her Majesty greatly laments that any Portion of Her Subjects should be suffering Distress; but it is a Source of sincere Gratification to Her Majesty to witness the encreased Enjoyment of the Necessaries and Comforts of Life which Cheapness and Plenty have bestowed upon the great Body of Her People.

"*Gentlemen of the House of Commons,*

"HER Majesty has directed the Estimates for the Year to be laid before you. They have been framed with a strict Regard to Economy, while the Efficiency of the various Branches of the Public Service has not been neglected.

"HER Majesty has seen with Satisfaction the present State of the Revenue.

My Lords, and Gentlemen,

"SOME of the Measures which were postponed at the End of the last Session for Want of Time for their Consideration will be again laid before you. Among the most important of these is one for the better Government of the *Australian* Colonies.

"HER Majesty has directed various Measures to be prepared for the Improvement of the Condition of *Ireland*. The Mischiefs arising from Party Processions, the Defects of the Laws regulating the Relations of Landlord and Tenant, the imperfect State of the Grand Jury Acts, and the diminished Number of Electors for Members to serve in Parliament, will, together with other Matters of serious Consequence, form the Subjects of Measures to be submitted for your Consideration.

"HER Majesty has learnt with Satisfaction that the Measures which have been already passed for the Promotion of the Public Health are in a Course of gradual Adoption; and Her Majesty trusts, that, both in the Metropolis and in various Parts of the United Kingdom, you will be enabled to make further Progress in the Removal of Evils which affect the Health and Well-being of her Subjects.

"THE Favour of Divine Providence has hitherto preserved this Kingdom from the Wars and Convulsions which during the last Two Years have shaken so many of the States of the Continent of *Europe*.

"IT is Her Majesty's Hope and Belief that by combining Liberty with Order, by preserving what is valuable, and amending what is defective, you will sustain the Fabric of our Institutions as the Abode and the Shelter of a free and happy People."

Then the Commons withdrew.

SCOTCH REPRESENTATIVE PEERS.

The DUKE of RICHMOND called attention to a great omission of their duty on the part of Ministers, with respect to the privileges of their Lordships, which might and ought to have been avoided. At present there were two vacancies in the representative Peers of Scotland, in consequence of the deaths of the Earl of Airlie and of Lord Colville. Although the Act of Parliament directed that the proclamation should issue forthwith for the election of representative Peers to fill up any vacancies which might occur, by death or otherwise, no such proclamation had yet taken place in the case of the two vacancies he had just mentioned, and the consequence was, that for twenty-four days after the meeting of Parliament it was not possible for any Scotch representative Peers to be elected. The Peerage of Scotland was not therefore represented in Parliament at present as it ought to be. He wanted to know what his noble Friend the President of the Council had to urge in defence of this omission; for certain it was that the Act of Parliament had not been obeyed?

The MARQUESS of LANSDOWNE said, that the Government were not to blame for the omission, as they had not received any requisition from the usual quarter; they had strictly followed the previous usage.

The EARL of EGLINTON said, the explanation of the noble Marquess was unsatisfactory. The clause in 5 & 6 Anne, c. 8, directed what should be done in the case of vacancies by death, and the words could not well be misunderstood. The Government could not be ignorant of the existence of the vacancies, for they had appointed a new Lord Lieutenant for Forfarshire, in the room of Lord Airlie, and promotions had taken place in the Navy in consequence of the death of Lord Colville.

The MARQUESS of LANSDOWNE contended that no blame was due to Ministers, who had strictly observed existing precedents, and had no official intelligence of these vacancies.

The DUKE of BUCCLEUCH took a different view of the subject, and said that, owing to the neglect of Ministers, it could not be said that the Scotch Peers were properly represented at that moment in the House of Lords.

LORD STANLEY said, he could very readily acquit the noble Marquess of all intentional fault; but thought the Government ought to have issued the proclamation immediately. He hoped that the notice which the noble Duke had taken of the omission would prevent similar delay in future.

Subject at an end.

THE ADDRESS IN ANSWER TO THE SPEECH.

The LORDS COMMISSIONERS' Speech having been *reported* by the Lord Chancellor,

The EARL of ESSEX rose to move an Address in Answer to the Speech they had just heard read. He had been too long a Member of their Lordships' assembly to have any claim to that indulgence which it was usual to concede on an occasion like the present. If, however, his seldom having had an occasion to address their Lordships would justify his asking that indulgence, he might assuredly express a hope that their Lordships would listen to him with patience whilst he addressed to them a few observations upon the gracious Speech which had been that day delivered to them on the part of Her Majesty. Since their Lordships last met in that place, it had pleased God to take to himself her late Most Excellent Majesty the Queen Dowager; and he was sure that their Lordships, as well as the other House of Parliament, and, indeed, that all classes, high and low, rich and poor, would sympathise in the deep affliction which the decease of Queen Adelaide had caused to Her Majesty, in common with the people of this country; for never had any foreign princess won so much love from the country of her adoption as Queen Adelaide had won by her exemplary goodness, her unbounded and unostentatious charity, and her universal kindness to all classes and descriptions of persons. So long as those virtues were revered, so long would the memory of Queen Adelaide remain cherished in the breasts of Englishmen. He would now call their Lordships' attention to that paragraph in the Speech in which Her Majesty declared that She continued in peace and amity with Foreign Powers. He sincerely congratulated their Lordships upon that announcement. In the course of last autumn Her Majesty had been called upon, in conjunction with the French Government, to act as mediator between the Governments of Austria and Russia, on the one hand, and the Government of Turkey on the other, in consequence of certain circumstances having occurred which threatened the peace of Europe; and Her Majesty now announced that Her mediation had been attended with the happiest success. It was not for him to make any observations upon the causes of that interference; but, as far as he was informed upon the subject, it appeared that Her Majesty's mediation was a legitimate and solicited interference in the affairs of foreign nations—an interference which, when carried on with impartiality and justice, had ever added to the dignity of this country, and promoted the interests of those other countries which had been concerned in the negotiations. Her Majesty had congratulated the House and the country upon the state of peace which now happily prevailed throughout Europe, and he might say throughout the whole world. That state of peace was, indeed, a noble theme for congratulation; nay, more, when he looked back to the events of the last two years—when he recollected that during that period of time every country in Europe appeared like a revolutionary volcano — when he reflected that each day's post brought us news of the abdication of some living Sovereign, and of the overthrow of some ancient dynasty; and when he considered that the violence of the storm had desolated every nation on the Continent, and that we alone had remained not only unscathed but untouched, he thought it not only a theme for congratulation, but also a subject for deep and lasting gratitude. It was surely a matter of the deepest congratulation and thankfulness that we should have escaped, and that peace, plenty, and tranquillity at this moment prevailed to a greater degree than had been known for a number of years past. He could recall at length to their Lordships' minds the causes to which this result was mainly attributable; but he would not tax their patience to that extent. He could not, however, consent to pass over those causes altogether in silence. He could not but consider that one of those causes was the high-minded feeling which prevailed among the upper classes in this country, which led them to abandon their long-rooted prejudices, and to sacrifice their self-interests whenever they were called upon to do so by the public voice for the public good. Another cause was that sound good sense of the middle classes, which led them ever to avoid extremes, and from which arose a sound and well-directed public opinion, of which it might be said that it almost invariably gained its point, and almost as invariably would be found consistent both with wisdom and justice. A third was the forbearance of the artisan and operative classes, which, though more subject at all times to privations and distresses than others, bore them with patience; and, though often tempted by the examples which had been set them in foreign countries, still always held fast to their loyalty to their Sovereign and to their allegiance to her crown. He could not, whilst he was upon this subject, refrain from expressing his praise of that power omnipotent for good in this country—he meant the public press—the members of which, however they might differ on many points of public policy, were all united in one point, namely, the support of our constitution, and with it the support of peace and tranquillity. He thought, also, that we owed our immunity from revolution to that just and moderate spirit of reform which had prevailed in the Councils and in the Legislature of this kingdom now for so many years. As education and civilisation extended, so also did the wants of mankind multiply and extend; and it became requisite that laws bearing on those wants and requirements, whether social, political, or commercial, should also undergo revision and amendment. When he looked back to the events of the last few years, and saw pestilence and famine existing in this country, and revolution ravaging the Continent, he could not but consider it as a most beneficial occurrence for England that there were in the Councils of Her Majesty men who had the sagacity to see the impolicy of the laws restricting the importation of food, and the policy of abolishing them. Those laws, which would have been pregnant with mischief in a time of universal distress, were now done away with; and, of all the votes which he had ever given in that House, there was none to which he looked back with greater satisfaction than that which he had given in favour of the repeal of the laws preventing the free importation of food. Her Majesty had also congratulated their Lordships on the cessation of that terrible epidemic which had carried desolation into the houses of the people during the last autumn; and after acknowledging that Almighty God in his mercy had been pleased to arrest the progress of mortality and to stay this fearful pestilence, Her Majesty had recommended the adoption of sanitary measures, observing that She "is persuaded that we shall best evince our gratitude by vigilant precautions against the more obvious causes of sickness, and an enlightened consideration for those who are most exposed to its attacks." At all times their Lordships were disposed to pay every attention to promote the interest of those classes who were in less fortunate circumstances; and he was sure the House would feel itself bound to take every step to ameliorate the condition of those who were exposed to evils to which the more affluent classes were not subject. There was a strong feeling abroad as to the sanitary regulations respecting the labouring classes. It was well known that associations had been established for the erection of lodging-houses for the labouring classes, and those lodgings had been much sought after by those classes; and as regarded their promoters, in a commercial point of view, they had given satisfaction. Her Majesty had next expressed her congratulations on the improved condition of commerce and manufactures. If they looked to the immense increase which had taken place in the exports last year, and to other results accompanying it, they would see how greatly the predictions had been falsified of some of the pretended friends of the farmers—for they had asserted that the admission of foreign corn to this country would not lead to an increase of the exports of manufactures, as the foreigners would take nothing but bullion for their corn, and consequently the coffers of the Bank would soon be drained, and the revenue would be affected. The only answer which he would make to these predictions, was by simply stating that during the last year the importation of food had been greater than was ever known before; that the export of our manufactures was greater than was ever known before; and that the coffers of the Bank of England were fuller than was ever known before. Would to God that some of the millions which were now lying idle, could be exported to our countrymen on the other side of the Channel, where it only required peace and quiet to induce capital which would render it the most fertile and richest of lands! He could not help expressing his satisfaction at the kind and cordial reception which Her Majesty had met with in Ireland. If the loyalty there displayed could have been manifested under happier circumstances, he had no doubt it would lead to the happiest results. It was satisfactory to find, with regard to the measures introduced last year for the benefit of that country, for the sale of Encumbered Estates in Ireland, they had given great satisfaction, and that the Rate in Aid Bill had been productive of much good. Her Majesty had also expressed her deep sympathy with the distress stated to exist in many of our agricultural districts. No man could regret the existence of that distress more than he did; but in expressing that regret he must also state his conviction—a conviction which was shared by many wealthy merchants, and by many, he would not say a majority of, landlords —that the distress was not of a permanent but of a temporary character; that it arose in a great measure from the panic which had been so industriously and so unwisely kept up by those who set themselves up as the farmers' friends, but which was not shared in by those owners and occupiers of land who had not allowed themselves to be driven wild, and to have their intellects obfuscated by agricultural agitation. On the advantages accruing from the cheapness of food, he could not refrain from quoting a letter which he had received very recently from a gentleman who took a very active part in the parochial affairs of this metropolis. [Here the noble Lord read a letter stating that in the parish of Marylebone there had been a saving in the rates of 11,000*l.* in the year, owing to the extreme cheapness of food; and that in another parish there had also been a saving of 7,000*l.* in the same time.] On the other great measure of last Session, the repeal of the navigation laws, Her Majesty assured the Parliament that the Governments of the United States of America and of Sweden had taken steps to secure to our ships in their ports advantages similar to those which their ships now enjoyed in our ports; and Her Majesty had further informed them that She had received from nearly every other State still having navigation laws of a restrictive character, assurances that the character of those laws should speedily undergo investigation. It was satisfactory to hear that the repeal of our navigation laws had been productive of beneficial effects. So far from shipbuilding decreasing in our ports, it had increased, as he was informed, at Sunderland, at Hull, and in the river Thames. The shipbuilders in all our ports were in full employment, and were not only building vessels for the merchants of our own country, but were also receiving orders to build vessels for foreign countries. That did not look like despair and ruin; on the contrary, it was indicative of the energy and spirit of our merchants, which had rendered this the first naval country in the world. Their Lordships had been informed that day that one of the measures which would speedily be brought before them would be a measure for the better government of the Australian colonies. Without knowing what that measure was, he would only express a hope that similar measures would be carried into effect with respect to our other colonies. He hoped that the time was not far distant when a greater degree of freedom would be extended to all our colonies in the management of their internal concerns and the nomination to their civil offices. He could not but think that such an extension of freedom would be for the benefit both of the colonies and of the mother country; it would give the colonies the power of self-government, and it would lead them to supply from their own resources those governmental advances which were now pressing so heavily on the resources of the mother country; it would thus induce between both a feeling more like that of child and parent than that of dependant and master, which now existed. Having thanked their Lordships for the patience with which they had hitherto heard him, he would conclude by expressing his fullest concurrence in the last sentence of Her Majesty's Speech, namely, that by combining liberty with order, by preserving what was valuable, and amending what was defective, their Lordships would sustain the fabric of our institutions as the abode and the shelter of a free and happy people. The noble Earl concluded by moving the following humble Address:—

MOST GRACIOUS SOVEREIGN,

WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg Leave to return to Your Majesty our humble Thanks for the gracious Speech which Your Majesty has commanded to be made to both Houses of Parliament.

WE humbly thank Your Majesty for the Assurance of Your Majesty's great Satisfaction in again having recourse to the Advice and Assistance of Your Majesty's Parliament.

WE condole with Your Majesty on the Decease of Her Majesty Queen Adelaide, which has caused Your Majesty deep Affliction; and we entirely concur with Your Majesty in the Belief that the extensive Charity and exemplary Virtues of Her late Majesty will always render Her Memory dear to the Nation.

WE beg humbly to express the Satisfaction with which we learn that Your Majesty happily continues in Peace and Amity with Foreign Powers.

WE thank Your Majesty for informing us that in the course of the Autumn Differences of a serious Character arose between the Governments of Austria and Russia on the one hand, and the Sublime Porte on the other, in regard to the Treatment of a considerable Number of Persons who, after the Termination of the Civil War in Hungary, had taken refuge in the Turkish Territory; and, we rejoice to learn that Explanations which took place between the Turkish and Imperial Governments have fortunately removed any Danger to the Peace of Europe which might have arisen out of these Differences.

WE humbly convey to Your Majesty our Thanks for informing us that Your Majesty, having been appealed to on this Occasion by the Sultan, united Your Majesty's Efforts with those of the Government of France, to which a similar Appeal had been made, in order to assist, by the Employment of Your Majesty's good Offices, in effecting an amicable Settlement of those Differences in a Manner consistent with the Dignity and Independence of the Porte.

WE thank Your Majesty for acquainting us that Your Majesty has been engaged in Communications with Foreign States upon the Measures which might be rendered necessary by the Relaxation of the Restrictions formerly imposed by the Navigation Laws of this Country.

WE rejoice to learn that the Governments of the United States of America and of Sweden have promptly taken Steps to secure to British Ships in the Ports of their respective Countries Advantages similar to those which their own Ships now enjoy in British Ports.

WITH regard to those Foreign States whose Navigation Laws have hitherto been of a restrictive Character, we learn with Gratification that Your Majesty has received from nearly all of them Assurances which induce Your Majesty to hope that our Example will speedily lead to a great and general Diminution of those Obstacles which previously existed to a free Intercourse by Sea between the Nations of the World.

WE unite with Your Majesty in lamenting that in the Summer and Autumn of the past Year the United Kingdom was again visited by the Ravages of the Cholera; but we are thankful to Almighty God, who in His Mercy was pleased to arrest the Progress of Mortality, and to stay this fearful Pestilence.

WE humbly concur with Your Majesty in the Persuasion, that we shall best evince our Gratitude by vigilant Precautions against the more obvious Causes of Sickness, and an enlightened Consideration for those who are most exposed to its Attacks.

WE humbly assure Your Majesty that we rejoice to be informed that Your Majesty in Your Majesty's late Visit to Ireland, derived the highest Gratification from the Loyalty and Attachment manifested by all Classes of Your Majesty's Subjects; and we learn with Satisfaction, that although the Effects of former Years of Scarcity are painfully felt in that Part of the United Kingdom, they are mitigated by the present Abundance of Food, and the Tranquillity which prevails.

WE regard with great Satisfaction the improved Condition of Commerce and Manufactures; and, whilst sharing with Your Majesty in the Regret with which Your Majesty has observed the Complaints which in many Parts of the Kingdom have proceeded from the Owners and Occupiers of Land, and humbly concurring with Your Majesty in lamenting greatly that any Portion of Your Majesty's Subjects should be suffering Distress, we unite with Your Majesty in the Feelings of sincere Gratification with which Your Majesty witnesses the increased Enjoyment of the Necessaries and Comforts of Life which Cheapness and Plenty have bestowed upon the great Body of Your Majesty's People.

WE express our Thanks to Your Majesty for informing us that some of the Measures which were postponed at the End of the last Session for Want of Time for their Consideration will be again laid before us, and that among the most important of these is one for the better Government of the Australian Colonies.

WE humbly thank Your Majesty for having directed various Measures to be prepared for the Improvement of the Condition of Ireland, and for acquainting us that the Mischiefs arising from Party Processions, the Defects of the Laws regulating the Relations of Landlord and Tenant, the imperfect State of the Grand Jury Acts, and the diminished Number of Electors for Members to serve in Parliament, will, together with other Matters of serious Consequence, form the Subjects of Measures to be submitted for our Consideration.

We unite in the Satisfaction with which Your Majesty has learnt that the Measures which have been already passed for the Promotion of the Public Health are in a Course of gradual Adoption; and we concur with Your Majesty in the Hope that, both in the Metropolis and in various Parts of the United Kingdom, we shall be enabled to make further Progress in the Removal of Evils which affect the Health and Well-being of Your Majesty's Subjects.

We humbly join with Your Majesty in acknowledging that the Favour of Divine Providence has hitherto preserved this Kingdom from the Wars and Convulsions which during the last Two Years have shaken so many States on the Continent of Europe; and we heartily concur in the Hope and Belief expressed by Your Majesty, that by combining Liberty with Order, by preserving what is valuable, and amending what is defective, we shall sustain the Fabric of our Institutions as the Abode and the Shelter of a free and happy People.

Lord METHUEN said, that he was fully aware that the high and distinguished honour conferred on him in selecting him to second the Address, in reply to the Speech of Her Majesty, could have been more worthily bestowed, and that many noble Lords might have been selected, whose competency for the discharge of so important a duty could not for a moment be questioned. He would, however, as briefly as possible, advert to a few topics contained in the Speech. Their Lordships were fully aware that great fears had prevailed in the public mind as to a probable rupture taking place between Russia and Austria on the one side, and the Sublime Porte on the other; but these apprehensions had, through the mediation of England, in conjunction with France, happily been dispelled. It must be a great source of satisfaction to their Lordships that this result had been brought about by the united exertions of those two powerful countries who were formerly the greatest rivals in the arts of war, but who now were happily allied for the promotion of the blessings of peace. The next matter of congratulation was the favourable terms with which the Government of the United States and of Sweden had met us in securing to British ships in their respective ports advantages similar to those which their own ships now enjoyed in British ports. It should be a matter of satisfaction to witness the gradual improvement that was daily taking place in the aspect of affairs; and, when he contemplated the great increase in the revenue of the country—which was an infallible indication of the prosperity of the manufacturing and industrial interests—he could not refrain from congratulating their Lordships on that very visible improvement. He regretted that he could not express the same feelings of congratulation as to the state of the agricultural interest, as he was aware that many complaints had arisen as to its distress from various parts of the country. He was aware that the greatest panic had existed in many parts, which was owing to false alarms in regard to the effect of free-trade measures, and which panic had been greatly increased by the agitation of the protectionist party since last harvest, in consequence of the decline in the price of corn. On this point, however, he would refer to the fact, that in the years 1822, 1823, and 1824, when foreign corn could not be introduced for consumption, unless home-grown wheat was above 80*s.* the quarter, prices of agricultural produce were lower than they had been during the last year. This certainly might be attributed at that period to the resumption of cash payments; but the same event also occurred in 1835. He thought there were at the present time several causes to which the lowness of grain might at present be attributed. Let them contemplate the enormous amount of capital locked up in railway speculation, together with the immense sums locked up in the coffers of the Bank of England, as in all the minor banks throughout the kingdom; and then he thought they would be of opinion, as he unquestionably was, that all that amount has been withdrawn from its legitimate course of application, and that the cry that had been raised by the protectionist party could have no other effect than to damage the agricultural interests. It was to be expected that agriculture would have its days of adversity as well as its days of prosperity; but he felt it was the duty of the true friends of that interest to encourage rather than to depress the feelings of the farmer. He could not but express on that occasion his strong dissent from many of the doctrines laid down and promulgated by that party, and equally strongly deprecate the conduct and language of some persons out of doors, who were most opposed to the agricultural interest. Some of these persons were men of acknowledged talent; but instead of promoting the best interests of the country by encouraging confidence, they pandered to the worst passions of the multitude, they exerted themselves to set class against class, and with words of "peace" in their mouths endeavoured to excite the most bitter feelings of animosity between different interests. He should not have ventured to address them in that manner, but that he felt the necessities of the period called for such denunciations of the doctrines and practices resorted to by those who were in truth the worst opponents of the permanent interests of the country. He had much pleasure in seconding the Address in reply to the Speech of Her Most Gracious Majesty.

On the Question being put,

The Earl of STRADBROKE said, that he should consider himself to be wanting in his duty, if he abstained from embracing this, the earliest, opportunity of declaring to their Lordships his experience of the result of their late experiments in free-trade legislation—the experience, namely, of deep and great agricultural distress, the existence of which was admitted in the Speech from the Throne, but which, as he gathered from the speech of the Mover of the Address, was to be characterised as merely of a temporary nature. Was he to understand that any such feeling as that expressed by the noble Earl was participated in by Her Majesty's Ministers? His own conviction was, that this distress was not of a temporary character, but would be permanent, at least so long as they persisted in the present course of legislation. In attempting to trace the causes of this distress, it was almost needless for him to refer to what had occurred in the long war which had lasted almost without intermission from 1793 to 1815, in the course of which period such large sums of money were expended in the cultivation of the soil, with the view of enabling this country to produce a sufficient supply of grain, so as to be independent of foreign producers, for the increasing population of the country, the result of which necessarily was an increase in the rental of the landed proprietors. When peace returned in 1815, serious apprehensions were entertained by statesmen of all parties as to the effects that would be produced by opening the ports to an unrestricted supply of foreign corn. So strong was the impression on this subject, that a law was passed by large majorities that foreign corn should not be allowed to be introduced into this country for home consumption unless the price had attained a certain height. When their Lordships considered who were the advocates of that measure of limited protection, they would perceive that it was no party measure. Mr. Coke, then in the zenith of health and power, who was one of the greatest friends of agriculture that this country had ever possessed, strongly supported that measure; and he believed a noble Earl opposite, who was at that time one of the representatives of Yorkshire, also did so. The effect of that measure had been to ensure prosperity to the agricultural interest for several years. He admitted, with the noble Lord who had seconded the Address, that there was a great depreciation in the price of agricultural produce in the years 1822 and 1823. This had occurred, although there had been little or no importations of foreign corn; but he (the Earl of Stradbroke) was prepared to state, and he believed the noble Marquess the President of the Council would not deny the fact, that that state of things was entirely owing to the alteration in the currency. Shortly before that time, one of the most distinguished Members of the late Government had introduced a measure, which he induced the Legislature to sanction, which had the effect of enhancing the monetary interest in this country 25 per cent, and in the same proportion depreciating the value of land. He well remembered the great and grievous distress which pervaded the agricultural interest of this country at that time—he remembered how slow the reduction of rents by the landlords was, and the impossibility which existed after a short time of collecting those rents, resulting in a great number of the landlords of this country being compelled to quit their homes for the Continent, under the pretence of educating their families, but really for the purpose of reducing their establishments. He remembered, too, how many farmers were driven to pass the remainder of their days in the small towns or workhouses, whilst a great portion of the labouring population were doomed to pass their days in idleness and their nights in debauchery. He would now advert to the measure introduced in 1828 by the Government of the noble Duke (the Duke of Wellington), whom he had the pleasure of seeing in his place, the principles of which he supported, although he had voted against some of the details, believing that under the altered state of the currency, the protection afforded by that Bill was amply sufficient, and that under reduced rents a certain amount of prosperity had returned, leaving only the sting behind of labourers being paid partly or entirely out of the poor-rates, which misfortune had occurred under the previous distress. The next period to which he would refer was 1834, when the Poor Law Amendment Act was introduced into Parliament by a noble Lord, now no more, than which none more just or more favourable to the agricultural interest and the labouring population was ever brought before the Legislature of this kingdom. The effect of that Act was to improve the condition of the agricultural classes, by increased attention to the aged, by giving better instruction to the children, and, last not least, a great demand for employment, and the immediate effect of which was a reduction of rates to the extent of 40 per cent. That year and the following we had most productive harvests, and prices fell, in consequence, from 60*s.* to below 40*s.* However, there was no distress. ["Hear, hear!" *from the Ministerial benches.*] There was no distress; and there was none, because that low price was the result of abundance. He begged their Lordships always to keep that in view, because he could not imagine two subjects more utterly distinct than the present low price, and that of 1835. He now arrived at the year 1839, when, owing to deficient harvests, both in this country and throughout Europe, the price rose to 70*s.* 8*d.* on the average of the year; yet, notwithstanding that high price, the exports of that year amounted to 53,000,000*l.*; whilst in 1842, when the price of corn was only 57*s.* 9*d.*, the exports were only 47,000,000*l.* In 1842 Sir R. Peel introduced into Parliament another alteration in the corn law, to which he (the Earl of Stradbroke) gave his support, conceiving that the time had arrived when a further remission of protection might be safely conceded, the more especially as he believed that that measure would secure greater steadiness of prices than had hitherto prevailed. In 1846 the whole course of things was changed. The leader of a party, who during a long life had advocated protective duties, all at once turned round and advocated their repeal, and introduced a measure which had resulted in the permanent reduction of the price of corn. In 1848 the harvest was bad, and the agriculturists were told that the deep distress which then afflicted them was owing to that circumstance. In 1849, however, the harvest was abundant; still the result had been, not an equitable return for their labour, but a reduction of prices to their present level. Under these circumstances, could their Lordships doubt that great distress existed? Were they not aware that the union-houses in the agricultural districts were filled with poor? Could they doubt that the natural result of this was to impoverish the land of this country; and was he not justified in stating that the result of free trade must be permanently and in a high degree injurious to the landed interest of this country? Upon this point, therefore, he ventured to move the following Amendment to the Address—namely, that after the word "manufactures," in the third line of the thirteenth paragraph, there should be inserted the following words:—

> "We regret, however, to be compelled humbly to represent to Your Majesty that in many parts of the United Kingdom, and especially in Ireland, the various Classes of Your Majesty's Subjects connected with the Cultivation of the Soil are labouring under severe Distress, mainly attributable, in our Opinion, to recent legislative Enactments, the Operation of which is aggravated by the Pressure of Local Taxation."

The EARL of DESART said, that in supporting the Amendment it was not without a feeling of regret that he felt himself compelled to stand in the way of that unanimity which it was so desirable should exist in respect to the Address to be presented in return to Her Majesty's most gracious Speech. But when he had read over that Speech, and found that a mere regret was expressed for the agricultural distress which existed throughout the kingdom, but more particularly in that unfortunate country with which he was connected, because it possessed less capital to bear up against the heavy restrictions imposed upon her; and when he found that that regret was unaccompanied by any suggestions for its alleviation, but that the acknowledged distress of that most important interest was, as it were, cloaked and passed over by a reference to the prosperity of their commerce and manufactures—that interest which their forefathers considered the great and vital interest of the country, and upon which all other classes rested—an interest upon which was based the security and the well-being of the country—he felt called on to join in the opinion of his noble Friend, and to support the Amendment which he moved. There could be little doubt that agricultural distress prevailed generally in this country; but he could give, from his own personal observation and knowledge, such a picture of its extent and intensity in Ireland, that he was surprised it did not call forth something stronger than a casual expression of regret. As the chairman of a board of guardians in a highly-favoured portion of Ireland, he could state that at that moment, even in that part of Ireland, all interests, landlords, labourers, and tenants, were fast progressing to utter annihilation and ruin, and that there was more distress in Ireland occasioned by the legislation of man than had been inflicted by the visitation of Providence. Of the distress of the farmers there could be no better proof than their inability to meet their engagements to their landlords and their other kinds of liabilities. This was the first year that the landlords of his part of the country had not been able to get their rents. He knew proprietors who made large deductions, amounting to from 20 to 25 per cent, in their rents, and yet, notwithstanding these reductions, they had not been able to get the miserable residue which was due to them. He was not surprised at this when he saw the poor-rate collector anticipating the landlord, and demanding for one rate, to cover about six months, 4*s*. or 5*s*. in the pound on the original valuation of the land when prices ranged from 30*s*. to 35*s*. a barrel for corn, whereas this year they had fallen from 17*s*. to 22*s*. These collectors go about in some instances seizing the corn crops in the haggard, which were barely sufficient to meet the demand of the poor-rate collector alone. When he saw such a state of things as this, he looked with the greatest dread at the prospects for the coming year. He would not allude to the more distressed districts of the west, because he was sure noble Lords who were connected with that part of Ireland would tell the House with greater effect what came within their own observation. What was the effect of this state of things on employment? They were often reminded that property had its duties as well as its rights; but if farmers were not unwilling, but unable, to pay their rents, how could the landlords or the farmers employ the labouring population? They must, on the contrary, turn out any extra labourers, and retain only such as were absolutely necessary to carry on their occupations. He had received a letter from Lord Shannon, whom he was sorry he did not see in his place, in which he stated that he had undertaken large drainage works in Cork, but he was obliged this year to give them up altogether. Six hundred men were in one fell swoop dismissed, and sent to fill the walls of the already overcrowded poorhouse. They were told that they ought to expend capital upon the land, for the purposes of improving cultivation to meet that foreign competition which you must now undergo. He would ask them, what inducement had they to expend more capital on that upon which they had already lost that which they had invested? He was sick of that cry of "invest capital in the land." Capital would find its own level. It would invest itself where it was most profitable; and if its application to land was not a profitable investment, it was no wonder that persons could not be found so to apply it. A noble Lord who sat near him (Lord Lucan), had, with great spirit and energy, brought some farms of his to rival those in England and Scotland; but, though he offered them, with excellent farm buildings, at from 12*s*. to 18*s*. an acre, he could not induce any one to invest their capital in them. He did not think they ought to give the farmer that excuse for not paying his rent. Why, they must tell him the truth. When they found that land was depreciated to so great an extent, the truth must be known, that the landlord and the tenant must share the depreciation in the value of that from whence their profits came. When such was the melancholy picture of the whole kingdom, although the farmers of this country might be able to weather the storm for some time longer than others, it is but a paltry comfort to hear that manufactures were in a thriving condition. He, for one, did not place much reliance upon statistics, but he found that the agricultural and landed interests far exceeded in numbers and value the manufacturing interest, and he did not think that a class of such vast importance should be sacrificed to the prosperity of a few. He believed that the prosperity of manufactures, of which they boasted, was but temporary and ephemeral, and, perhaps, would for the future be more so than it had hitherto been. In the history of this country they found that periodical prosperity was followed by a reaction; and at the present time he did not think that there was more prosperity than they experienced on former occasions, which had been followed by great distress and suffering. In answer to those who maintained that the present prosperity of manufactures was owing to the repeal of the corn laws and the other measures of free trade, he would ask noble Lords to compare the returns of five years at different periods—that of five years preceding 1849, and the five years preceding 1838—let them compare the amount of the consumption of that great home manufacture, cotton, and they would find that in the former period, when the protective system of policy was in operation, the increase in the manufacture of that staple article was no less than 28 per cent; while in the other period, under a free-trade system, the increase had only amounted to 13 per cent:—

Cotton imported for Home Consumption.

1833		lbs. 287,000,000
1834		303,400,000
1835	good harvests	348,100,000
1836		347,400,000
1837	(panic)	365,700,000
	Average for five years	324,320,080
1838		416,700,000
1844		544,000,000
1845	good harvests	606,600,000
1846		614,300,000
1847	(panic)	441,400,000
1848		576,600,000
	Average for five years	556,580,000
1849		629,600,000

He would remind the House also that the price of corn in 1838 was not less than 64*s.* the quarter, and that a large quantity of it had been taken out of bond at 70*s.* in September of that year. That was a proof that manufacturing prosperity was not dependent upon low prices. He did not mean to state that anything had been positively proved, but he thought the argument that the prosperity of the manufacturers was owing to free trade, had been entirely disproved by what had occurred in the previous period. The great advantage the manufacturers had derived from the free-trade system was, that they could send out goods so cheap as to command the markets abroad, although the prices were barely remunerative. It should, however, be borne in mind that that exportation might, at any moment, be stopped by a glut of the markets, or hostile tariffs, which, while adding to the revenue of the imposer, would diminish the consumption of English goods by the consequent rise of price, and bring down the manufacturer to a scale of cheapness unremunerative to him and crushing to the labourer; or compel him to pay for foreign produce in bullion, leaving mills idle and operatives starving, and enabling the foreigner, with raised prices at home, owing to the influx of our bullion, doubly to profit by the unnatural cheapness of our productions. He would not go further into the discussion of the principles of free trade. In conclusion, however, he would say simply one word as to the charge that had been made against them by their adversaries. It was alleged that the landed interest wished to provoke a war of classes. Now, in the name of the noble Lords with whom he acted, he would say that they utterly deprecated any such object. It was not he and the noble Lords who thought with him who were anxious to provoke such a war; but it was the men who, for their own selfish ends, had, by illegal combinations, attacked the other interests of the country. It was they who, for their own selfish purposes, were arraying one class against another. For his part, the only object he had in view was to promote and preserve the best interests of the country. Feeling that the distress of the agricultural classes was not a temporary evil, but likely to be permanent, and being anxious, to the best of his power, to preserve them from annihilation, he should give his cordial support to the Amendment of the noble Lord near him; and he thought that by so doing he would best prevent those who appeared bent upon destroying all that was most sacred in the institutions of the country from succeeding in their designs, and enable England to maintain the rank she had hitherto held among the nations of the earth.

The EARL of CARLISLE said, that as an Amendment had been moved to the Address, though in a very temperate, considerate, and able manner, by the noble Earl opposite, perhaps their Lordships would allow him to offer a few observations on the position of the immediate question which they had now to decide—which was, whether their Lordships would do well to alter the Address which had been moved by his noble Friend behind him, and to substitute for it the Amendment of the noble Earl. Now, in adverting to the difference which that Amendment introduced into the substance of the Address, he had to observe that it was confined within a very narrow range. It did not pretend to controvert that which the Address asserted, that Her Majesty was able to congratulate Her people on "the improved condition of commerce and manufactures," which, though it might appear in a paltry light to the noble Earl who had just sat down, he (the Earl of Carlisle) regarded as affecting some of the greatest and most enduring interests in this empire. The Speech adverted also to the distress prevailing among the owners and occupiers of land. The noble Earl complained that the Speech of Her Majesty only expressed "regret" at the distress to which the agricultural portion of the community had been subjected, and thought "regret" was but a cold word to use; but he had to observe that, in speaking of that distress, the actual words used were, not "regret," but "greatly laments;" this, at best, therefore, was but a philological difference in the words of the Address and Amendment. The material difference was this: Her Majesty and Her Government did not deny, but admitted, the distress which prevailed among the owners and occupiers of land; therefore, in dealing with this Address and with the Amendment, he would advise their Lordships to look not so much at the actual expressions contained in either, but to consider the views with which the Amendment was proposed, the hopes by which it was suggested, the construction which might be put upon it, and the results which would follow from its actual adoption. There was no great difference in the actual force of the terms employed in the Address and the Amendment. The Amendment, indeed, referred to local burdens; but he thought their Lordships would agree that any discussion with respect to the exact incidence of local burdens and their distribution, would be more conveniently and properly deferred till the question was regularly brought before the House. The Amendment, however, attributed the distress under which the agricultural interests suffered to recent legislative changes. It was his opinion that if their Lordships sanctioned the proposed Amendment, and agreed to substitute it for the original words of the Address, they would by so doing allow it to be understood throughout the whole length and breadth of the land, that they threw a doubt upon the recent legislation, were prepared to reconsider it, and indeed were willing to reverse it. Now this, he thought, would be a very mistaken and a very disastrous conclusion to arrive at; and it was upon that ground that he called upon them not to temporise upon the subject, and by so doing give rise to such delusions, but to give an unqualified negative to the Amendment which had just been moved. The noble Earl who seconded the Amendment did so with a degree of feeling which he was afraid he had almost drawn from his own experience of the present distressed state of Ireland. No person was less disposed than himself to underrate the distress which prevailed in that country; but he confessed that when, from the experience of the last three years, it was plain that Ireland could be brought through—he knew he could only barely with truth make use of such an expression—that horrible state of destitution and suffering to which she had been subjected only by the plenty and cheapness of the corn brought from abroad, he did not think that it was in connexion with the state of Ireland that their Lordships could quarrel with or censure the system of free trade. He would not pretend to follow the noble Earl who moved the Amendment throughout the very clear and able retrospect which he presented to their Lordships of all the legislation connected with agriculture and corn; but when the noble Earl adverted to the law of 1815, and to the mimimum price of 80*s.* per quarter for corn, which was then laid down as the price to be attained before corn could be imported into the country—and then proceeded to allude to the law of 1828, and to the sum of 56*s.* which was then calculated as the turning price at which corn might be imported—though if he (the Earl of Carlisle) rightly recollected the discussions of that time, the price was assumed to be rather from 63*s.* to 65*s.*—when the noble Earl alluded to the effects of this legislation, he surely must have forgotten that when it was proposed to admit corn at a less price than 80*s.*, or less than 63*s.*, they constantly and regularly heard the same bodings and anticipations of distress which at the present time so painfully met their ears; and as the agricultural interests and farming energies of this country had overcome the embarrassments anticipated from the introduction of foreign corn at lower prices than 80*s.* and 65*s.*, so he hoped, even if corn was destined not to rise above the average of 41*s.* per quarter, yet that, even with that desponding anticipation, the agricultural energies of this country would know how to rise above the difficulty. During the whole of the discussions which had recently taken place upon this subject, and throughout that conflict of opinion which had pervaded the length and breadth of the land, whether in the press or on the platform—and upon some of the platforms there had been some, now here, who had not been backward in expressing their opinions upon the subject—but throughout these discussions there had been a great deal of nice and ingenious calculation bestowed upon the question at what cost corn could be grown, so as to leave a fair profit to the grower, and at what range of prices the cultivation of the land could be profitably carried on. He was not disposed to deny either the pertinency or importance of such calculations; and it would be a strange thing indeed if he who, like many of their Lordships, derived all he possessed, and all he ever hoped to possess, from the land, and who, like many of their Lordships, had to labour under a very oppressive amount of fixed incumbrance, derived from generations who had gone before him—it would be strange indeed if he were indifferent to the issue of such calculations or speculations as to the value of landed property. He was one, therefore, who could fully acquiesce in that portion of Her Majesty's Speech in which She lamented that any portion of Her subjects, such as the owners and occupiers of land, should be suffering distress. But of course the extent of that concern, and the degree of his alarm, would be somewhat in proportion to the apprehended duration of the distress, and the fact whether it was occasional or exceptional, or whether it was produced by special and exceptional causes not liable continually to prevail or constantly to recur ; for in that case it would be plain that the agricultural interest were undergoing that which every other pursuit, every other profession, every other branch of industry, and every source of emolument—seemed destined by the laws of the universe to undergo, and from which laws of vicissitude and change agriculture has, in the most marked degree, whether protected or unprotected, never been exempt. The question, then, which their Lordships had to bear in view, in deciding upon this subject, was, whether it was absolutely certain that the present distress might not be temporary and casual in its nature and duration. It had been already stated, in the course of this evening, that the prices of corn have twice, within the memory of many of their Lordships, been lower even when agriculture was basking under the full glow of protection, and rejoicing in the mid sunshine of legislative favour; and it had been even said that there was, at those periods, no great amount of distress. If he turned, however, to the statements of those Gentlemen who represented the agricultural interest at those periods, if their Lordships referred to their speeches in Parliament, to the Motions which they made, they would at least find that the cry was then very little less loud than it was at the present day. What, however, he wanted their Lordships to bear in mind was, that after a series of discussions, continued through many years, which had engrossed the attention, swayed the convictions, and enlisted the passions of all classes of the community, they had resolved upon trying a great experiment. He thought it had been continually, repeatedly, and most laudably avowed by all parties, by the most friendly as well as the most hostile to the change, that as it was settled by the Imperial Legislature that a great experiment was to be made, it ought to be fully and fairly tested. Now, since the first fair commencement of the operation of the law, not one whole year had elapsed. So much then with respect to time. Then, so far, in his humble judgment at least, from no special and exceptional causes having been at work throughout the period of the application of the experiment, there perhaps never was a time in the whole history of the world in which so many causes, which seemed to him extraordinary and exceptional, had been heaped together, all of which bore in the most marked and prominent manner upon the prices of corn. He needed only to mention to their Lordships the famine in Ireland, the extensive and successive failures of the potato crop—the main article of subsistence for the people of that country, as well as in many other parts of the united kingdom—and the unparalleled revolutionary convulsions which had pervaded every nation and every corner of the Continent, and which in their consequences had most materially interfered with the growth and consumption of corn in all those regions which they had affected. He would leave entirely out of consideration any reference to the nature of the seasons, although they had a marked and most disturbing effect on the prices of the last few years, because they could not be considered as exceptional causes, inasmuch as variety and vicissitudes of seasons must be expected at all times. It was at present a controverted point by all the most enlightened friends and followers of agriculture, whether the cheapness and lowness of prices at present so much complained of, was owing most to the great abundance of the last harvest, or the great deficiency and bad quality of the harvest of 1848. What, however, he had to contend was, that with such very circumscribed limits for the trial of the experiment upon which the country had resolved, and with such a marked prevalence of special and exceptional causes during the time of the experiment, it would be most unfair, and altogether preposterous, in his judgment, to assume, that the experiment had been tested, that it was exhausted, and that the change in the policy of the country was to be reconsidered, condemned, and reversed. They were not, therefore, in his judgment, in a position to pronounce upon what would be the natural and permanent fruits of the great experiment which they had agreed to make. It was impossible to assume at what cost corn could be permanently grown in the country, or whether the same abundance of foreign import would at all times exist. His own impression was not one of despondency, discouragement, or despair, upon this subject. It was a point upon which he had no right to palm any opinion of his own upon their Lordships; all he wished to enforce upon them was, that they were not then in a condition to pronounce that the experiment had been fairly made, and that corn could not be grown so as to realise better profits than at present, or that the same abundance of foreign imports into this country would continue. He owned, however, that he could not honestly stop there, or confine himself within those ambiguous and hypothetical limits; and he felt bound in honesty, speaking for himself, to tell their Lordships that even if he were convinced that the average price of corn would never ascend one farthing higher than at present, still he was not prepared to reverse the policy upon which they had entered, or to revert to the old system of protection. He would tell their Lordships why he would not consent to do so. He had referred to the calculations which had been so largely entered upon with respect to the remunerative prices of farming operations, and had pronounced his own inability to give any opinion upon them; but it seemed to him that to attempt to square any such matter by fixed and uniform rules would be a most delusive operation. Each case must be governed by its own circumstances. Each farm must be considered in its own speciality, with due reference to its position, its nearness to the markets, to the nature of its soil, to the various growths and crops for which it was adapted, the amount of available skill and capital which could be applied to it, and an infinite variety of qualities, dispositions, and means, on the part of both landlord and tenant; and if the imperious dictation of circumstances, and the permanent condition of the farmer's profession, should prescribe permanent alterations in the relations between landlord and tenant, it was between those parties themselves that such alterations in their mutual relations must be adjusted. That sentence in Her Majesty's Speech, which he had already quoted, in which She laments that any portion of Her subjects should be suffering distress, and in which She makes special allusion to the owners and occupiers of land, is followed by another sentence, which states, "But it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life which cheapness and plenty have bestowed upon the great body of Her people." So, too, behind the condition of the farmers and landlords to whom he had already alluded, there loomed forth a far wider and more extensive interest—that of the people at large, to which all other interests must be secondary and subordinate. Now he believed that the Speech of Her Majesty rightly assumed the ease which had been given to the great body of the people by the increased enjoyment of the necessaries and comforts of life, which cheapness and plenty had bestowed upon them. This cheerful assertion in the Speech of Her Majesty, Her Majesty's Ministers thought they had a right to ground upon the information and advice which reached them from all parts of the country—from the great increase in the imports of those articles which were justly termed "the comforts and necessaries of life." Not only had there been a great increase in the importations of those articles, but there had been also a great and growing increase in their consumption. Her Majesty's Ministers considered themselves justified in advising the expression he referred to, by the statements and details which had reached them from all the great marts of business and of commerce—from all the principal manufacturing and industrial towns, and even from some whose prosperity seemed to have been somewhat on the wane—he might mention such towns as Leeds and Sheffield, towns which, from local causes, had been looked upon as having suffered permanent declension from prosperity, but from which they now heard that a greater amount of industry and business had not been known in them for a long series of years. But it was not even to the regions of commerce and business, or the crowded marts of industry and employment, that accounts of improvement were confined. Her Majesty's Ministers had procured returns showing the total number of paupers receiving indoor and outdoor relief on the 1st day of January, 1849, and for the same day of 1850, in 602 unions in England and Wales. He did not wish any statement which he might make on this subject to be carried too far. He had no doubt that there were many districts in the country in which the owners and occupiers of land were most laudably exerting themselves, even in spite of, and in the face of, their own distressed and impoverished condition, in keeping the men whom they employed from the workhouse, by employing them upon works which would probably not prove remunerative to themselves—he had no doubt whatever that such was the case, to a considerable extent, and he did not therefore wish greater stress to be laid upon the returns of the number of paupers than was due; but still, in looking to the whole aspect of the country, they had a right to assume, as one material element of its condition, the aggregate sum of relief which at different periods was given to the most indigent classes of the country. From the returns which had been presented to the Government, it appeared that in the number of paupers receiving relief on the 1st of January, 1850, as compared with the same period of 1849, there had been a decrease of about 7 per cent. He was quite aware that it was not so great a decrease as might be desired—

LORD STANLEY: Does the return include the whole of the parishes of England and Wales?

The EARL of CARLISLE: It was a return from 602 parishes, in different parts of the country; no selection had been made of them, and it included all the parishes from which returns can be procured by the Poor Law Commissioners. This decrease in the amount of pauperism was not confined to the manufacturing districts or manufacturing counties. He was quite willing to admit that in the neighbourhood of large manufacturing cities and marts of industry, a decrease might have been expected, in consequence of the increase of business in these places; but the decrease is by no means confined to those places. In Bedfordshire, which was not a very manufacturing county, the decrease within the last year had been 11 per cent; even in agricultural Buckinghamshire, there had been a decrease of about 6 per cent. In Cambridgeshire, the variation had been on the other side; in Derbyshire, the decrease had been 11 per cent; even in Dorsetshire, which was generally considered as almost the worst of agricultural counties in point of distress, there was an improvement to the extent of about 6 per cent. In Durham and Northumberland there had been an increase, owing chiefly to unsuccessful mining operations. But, as might be expected, the greatest diminution had taken place in the counties of Lancashire and the West Riding of Yorkshire. In the East Riding, which was purely agricultural in its character, there was a diminution of about 7 per cent. In Nottinghamshire, the decrease was about 7 per cent. Thus the agricultural counties participated in the improvement as much as the manufacturing. With respect to Ireland, although he was not able to congratulate their Lordships upon the distress of that country being materially relieved, yet there were many symptoms of amendment. Among other pleasing indications, he found that the expenditure of the workhouses in that country, owing probably to the cheapness and plenty of provisions, had been reduced from 2*s.* 1*d.* per head, which it was last year, to 1*s.* 1*d.* at the present time. In the face of such results as these, with a general increase of prosperity which marked their commerce and manufactures, and all their seats of industry, and in connexion with this prosperity a great increase in the comforts and necessaries of life, and a decrease of pauperism even in the most agricultural of our districts, he felt compelled, in answer to the noble Earl opposite, to state frankly, that, even if their agricultural prospects were more gloomy and discouraging than they were at present, he could not, under any circumstances which he could contemplate, bring himself to be a party to any measure which would have the effect of checking the present cheapness and plenty in all the great articles of human comfort and enjoyment, and, above all, in the indispensable articles of human subsistence which, without reference to, or distinction between, particular classes and sections of the community, were so well calculated to promote the general well-being of the entire community. Reduce the chief protectionist complaints and demands to their real elements, and what are they? He did not say in the conscious intention of those from whom they proceeded, for he believed that the agricultural body were not one whit more selfish than those who composed any other class or section among the people—perhaps, in some respects, he would be inclined to say they were even less so; for they touched the rest of the community upon more points than any other; but reduce their great complaint to its real element, and what was it but that there was too much to eat in the country? [*Laughter and ironical cheers.*] If he had not stated it correctly, he really did not see what was the charge against free trade. If the complaint was not of too much corn imported, inducing too much cheapness in the home markets, what was it? He would like to hear one explanation as to where the complaint did attach itself to free trade, if not founded upon the opinion that too much foreign-grown corn was imported, and home-grown corn was too cheap. He knew that it was sometimes pretended that the abolition of protection would have a tendency to throw land out of cultivation, and that, therefore, though they continued to import greater quantities from abroad than formerly, they would not have a greater quantity to eat at home. But that was surely not the case at present; it could not be said that any considerable portion of land had been thrown out of cultivation. If he were informed rightly, there had been a greater breadth of land sown with wheat during the last year than had ever before been the case. There were also not less than seventy-two applications for enclosures of land made to Parliament this year, the Bills for which would provide for the enclosure of 48,065 acres, being a far greater number of separate applications than had ever before been made to Parliament in one year, although it was true that a larger quantity of land was involved in the application for enclosures which had been made last year: surely that was a circumstance from which it was reasonable to infer that apprehension of ruin to the agricultural interest did not greatly prevail. If, then, the quantity of home-grown produce was not to be diminished, and if the same quantity of produce is to come from abroad, and there is matter of blame against free trade, what else can it be than that there is too much to eat in the country? If corn was not too cheap, and not too abundant, what was it that they accused free trade of doing? They could not accuse free trade of having diminished their trade, or of having injuriously affected their manufactures, or that it had sent out of the country a large store of bullion. The complaints of cheapness in the home market, and abundance in the foreign, resolved, therefore, into their natural elements, are simply that there was too much to eat in the country. Now, with respect to any change of policy founded upon these complaints, he did not know how it might be with the well-ordered estates of their Lordships, with their carefully-tended villages and cottages; but he felt persuaded that, apart from any such enlightened and benevolent superintendence, there were scarcely any by-lanes in the rural districts, or back streets in their large towns and cities, and alleys — some of which were to be found at no great distance from the gorgeous chamber in which he was speaking — he wished they were not — which could not give a fearful contradiction to the assumption that the country was suffering from a superabundance of food. Sooner than consent to any measure which should either in seeming or in reality diminish the command over the comforts or necessaries of life of the great masses of the people — sooner than he would give his individual consent to any proposition, or to any change of policy, which would have that effect, he would rather forfeit the place which he had the honour to hold among their Lordships' ranks. With these feelings, and in the hope that they would not reverse the policy which the Legislature had resolved upon—that they would not, by any specious words or amendments, allow it to go forth to the country that they were prepared to revert to the old policy, he called upon them to give a positive, and, in point of number, an overwhelming refusal to the Amendment of the noble Earl.

The DUKE of RICHMOND: I shall begin by thanking my noble Friend who has just sat down for the very important admissions he has made, and which are the real secret of those free-trade movements. Formerly, my Lords, it was thought that the prosperity of the agricultural interest was one of the happiest indications of the improvement of the nation; but now it seems to be altogether disregarded, and my noble Friend tells us that, notwithstanding the ruin which a free-trade policy has brought upon agriculture, he would sooner forfeit his rank and station, and even the office which he holds, than vote for its reversal. But I warn the noble Earl that, if that policy be persisted in, he will have no occasion to make a voluntary sacrifice, for he will be shorn of all his honours and emoluments. I wish my noble Friend to pay some attention to one of the clauses of the Address. Her Majesty expresses regret—observe!—not at the distress and suffering of the agricultural class—no, Her Majesty was not instructed to express any sorrow for their condition. What signify the ruin and misery of thousands of farmers and labourers as long as the cotton spinners filled their pockets with money, and the Member for the West Riding is satisfied?

EARL GREY: Read the paragraph.

The DUKE of RICHMOND: The Queen does not, I repeat, express regret at the distress of the owners and occupiers of the land. When I say the Queen, of course I mean Her advisers; but I have a right to mention it as the Queen's Speech. What Her Majesty does express is regret at the complaints which have reached Her from many parts of the kingdom, proceeding from the owners and occupiers of the soil. This was neither more nor less than "a slap on the face" for the owners and occupiers of land for making complaints. Her Majesty, I admit, laments that any portion of Her subjects should be suffering distress. The truth of the case is, my Lords, that I consider this clause as an insult to the agricultural interest. When my noble Friend quoted from any return, I think it was only due to your Lordships that that return should be laid upon the table, so that we might see whether it applied to one day or one year. I could not understand from the noble Earl whether it applied to the first day of January in each year, or to the whole of the years 1849 and 1850.

The EARL of CARLISLE: To one day in each year—the first of January.

The DUKE of RICHMOND: A very material difference indeed. He tells us that the number who received relief was seven per cent less on the 1st of January, 1850, than on the same day in the previous year; and it is upon this notable return—it is upon this evidence—the evidence which a single day affords—that your Lordships are called upon to believe that the poor-rates have greatly decreased. I ask him whether he has seen the returns up to Christmas, 1848, and whether he compared them with those in the following year, for that is the way to make a comparison, and not to take twenty-four hours in each year; for to compare one day with another day is worse than idle when great interests are at stake. But, again, there are many reasons why the state of the country cannot be correctly ascertained from the number of persons receiving indoor and outdoor relief. In my own county, as well as in many others, such a test would not be correct. But my noble Friend made a singular omission. He spoke of pauperism, and of cheapness and plenty, and of imports, but he has not done us the favour of telling us anything about the amount of wages. He did not tell your Lordships that in some counties the hard-working labourer gets only 8*s*. and in some cases only 6*s*. a week to maintain himself and family. I ask if the hundreds of labourers now out of the workhouse, and kept out of it by a plan that had been lately acted upon in various parts of the country, have gained by their vaunted cheapness and plenty? When the parish officers found that the rates were increasing under the free-trade measures, while the means of paying those rates were much diminished, what did they do? They went to the way-wardens of the parish, and said, we have eight or ten honest men of good character without employment, don't drive them into the workhouse, but employ them on the roads. The consequence is, that instead of giving a man six days' labour, they employ a man for two or three days in the week, which is just sufficient to prevent that man from having a claim for relief on the board of guardians. The man is employed to work for two or three days; he just gets enough to keep life and soul together, and he has three or four days of idleness to get him into all sorts of scrapes. Of all distressing circumstances to which country gentlemen are exposed, I know none more painful than to be obliged to refuse employment to an industrious poor man because his labour cannot be remunerative. Free trade was called by my noble Friend an experiment; but if so it has most signally failed. The noble Mover of the Address took it upon himself to lecture the protectionist party for the course they have pursued. I own I was not surprised at that; for I never knew a man who left the ranks in which he had long fought, who did not hate most cordially his former friends. The noble Earl was himself one of the great movers of the protectionist policy, but his friendship to protection ceased with the Government of Sir Robert Peel. When Sir R. Peel went out, the noble Earl left his party and became a free-trader. He tells us that we are lowering the price of corn by creating a panic among the farmers. Why, I thought it was free trade that lowered the price of corn. The noble Earl has, in his zeal to advocate the cause he has newly espoused, destroyed one of its supports. The noble Earl argues both ways. He says that two opposite arguments lead to the same conclusion—a course I can quite understand, the noble Earl having sat upon both sides of the House. He objects to protectionist meetings, and the exciting speeches made there. I own I agree with the great body of the farmers of England. They consider that, as free-born Englishmen, they have a right to meet, and give expression to their grievances; and, notwithstanding the displeasure it may give a seceder from the protectionist ranks, be he who he may, I express my unequivocal approval of that opinion, and I will advise the farmers of England, by every constitutional means in their power, to meet and give utterance to their sentiments, that, through the good sense and good feeling of their fellow-countrymen, their grievances may be redressed. But the protectionist party are, forsooth, to be lectured upon agitation. Why who taught them the lesson? Were noble Lords opposite sincere when they brought their free-trade measures before Parliament? I have always stated in this House, and I now repeat it, that a jury of twelve of you could not be found who were, in their consciences, in favour of free trade; and I firmly believe that, if there had been a ballot instead of an open vote, there would have been an immense majority against your policy. When you passed free-trade measures, they were attended by most unfortunate circumstances, to say the least of it. I allude to the means and the manner by which this question was carried. I am not now going to attack individuals, nor to use any strong expressions as to the course then pursued; but I am bound to state that this country has never recovered that confidence in public men which it had previously entertained, and which had been at that crisis so grossly abused. The country knew that those measures were achieved by an unnatural combination of parties, and by an unusual departure from the principles of political consistency. But the noble Earl (the Earl of Essex) claims credit for the courage exhibited by noble Lords in voting for this measure. Courage, my Lords, is the term he gives to cowardice. There was no courage exhibited; but a want of courage in not resisting the pressure from without. The noble Earl blames the protectionist party for agitation. Why should they not seek to recover those benefits by agitation which had been wrested from them by agitation? The farming class is not to be thus put down. Act as you will—refuse protection in 1850—but the demand will still continue. The farmers, when roused—and they are now roused, seeing ruin stare them in the face—will not patiently submit to an injury. I hope they will do their duty, and by every constitutional means seek redress. For my own part, I do not hesitate saying that I will continue to advise the farmers of England to do so, whether noble Lords opposite like it or not. I hope they will make every town and hustings in the country their battle-field—that they will pursue their object, not with violence of language but with steadiness of purpose—that they will state their case, and the grievances under which they labour—and I still cherish the hope that this House, which has never yet been indifferent to their sufferings, will not disregard them now that they so much require legislative aid. Although not connected with commerce or manufactures myself, I feel the deepest interest in their welfare, and am rejoiced to hear that they are in a satisfactory state. I do not wish to see one class depressed at the expense of another. I wish to see all prosper. I do not find any fault with the speech of the noble Lord who seconded the Address, because he spoke more in our favour than in his own; but when he said that the agricultural interest always had a day of adversity and an hour of prosperity, he drew a very gloomy picture indeed of their history. My Lords, I give my cordial support to the Amendment.

The EARL of ESSEX explained that in what he formerly stated it was his intention to say that the panic which had recently prevailed among agriculturists had paralysed the exertions of farmers. Although the noble Duke had objected to his use of the word "courage," as applied to the conduct of their Lordships in adopting free-trade measures, he must maintain that it was no slight effort of courage for a man to give up his opinions when he was conscious that by doing so he might forfeit the esteem of those with whom he had always acted, without gaining any personal advantage. As to himself, he had changed his opinions because he thought them erroneous; and he would only say that if the noble Duke supposed that his change of opinion was not as disinterested as it was unsolicited, he was never more mistaken in his life.

EARL FITZWILLIAM was understood

to urge that at the present moment for the Chancellor of the Exchequer to think of proposing a duty on corn of 2*s*., 3*s*., or 5*s*. a quarter, was an impossibility; and even if it were not impossible, those who were agitating on the plan which the noble Duke so strenuously advocated, would have rendered it so. Why should agriculture be now protected when all our great manufacturing interests were exposed to unlimited competition? With regard to what had been stated on the subject of the comparison between the number of paupers in the past and the previous years, he held in his hand a report which referred to what was called the Midland District, embracing all the middle of England—an area of 1,400,000 acres, containing a population of above 1,000,000. It included only four manufacturing unions, out of fifty-two. It states the number of paupers in the quarter ending Christmas, 1848, as compared with that ending Christmas, 1849, there being in some unions an increase, and in others a decrease. In some of them there was an increase of 135 indoor paupers, and in others a decrease of 1,051, being on the whole a decrease of 916. In the outdoor paupers there had been in some unions an increase of 1,902, and in others a decrease of 6,366, making a total decrease of 4,464. It might be said that the decrease in the outdoor paupers was greatest in the manufacturing unions; but even after striking those out, there was a positive decrease of 2,002, of which the agricultural unions had the benefit. With regard to the present prospects of agriculture, he had formed his own opinion. It was true he was not acquainted with the parts of England, south of the Thames, nor with the county (Suffolk) with which the noble Earl who moved the Amendment was particularly connected; but he had a pretty general knowledge, more or less, of all the country to the north of the Thames, and he could see no district in which, in his judgment, there was the slightest reason to apprehend that there would be any abandonment of land. Indeed he saw evidences of a directly opposite character, and he could truly say that he never saw so much preparation for draining and improving the land. He would now call the attention of the House to the different measures of protection, the series of which had been so correctly stated by his noble Friend (if he might so call him), who had moved the Amendment. The first of those measures was the corn law of 1815, which he had himself supported; and here, in relation to changes of opinion, he would take the opportunity of informing the House of a circumstance to which most of their Lordships were probably strangers. He was a Member of the Committee which might be said to have been the parent of that measure; but there was another much more important Member of that Committee—Mr. Huskisson—and it was a remarkable fact that in the examination of the witnesses before that Committee, Mr. Huskisson was the Member whose questions were particularly directed to show the advantages of what was called high farming, and of protection. The result of that Committee was the corn law of 1815, which gave the highest possible protection, for it prohibited the import till the price of wheat reached 80*s*. per quarter. Under this law prevailed the agricultural distress of 1821-2, the second under which the English farmer had ever laboured. It was the operation of this law that had first opened his (Earl Fitzwilliam's) eyes to the radical defects of the protective system. Then came an Act passed in 1823, which, from the conditional nature of its enactments, never came into practical operation. Next came the Bill proposed in 1827, by Mr. Canning, which introduced the sliding scale, a measure which he (Earl Fitzwilliam) supported, as a great improvement upon the prohibitory law of 1815. Their Lordships were of course aware that it was defeated by a side-wind in that House. In the succeeding year, 1828, came the measure introduced by the noble Duke (the Duke of Wellington's) Government, which was also founded upon the system of the sliding scale. This law—they all lasted above fourteen years—remained till 1842, when Sir Robert Peel proposed to take away what he called the superfluity of protection. The law of Sir Robert Peel altered what was called the pivot, substituting 56*s*. for 63*s*. Now the effect of all these laws had been to impress the farmer, the landowner, and, above all, the land valuer, with the notion, that they would respectively secure the prices of 80*s*. 63*s*. 56*s*. per quarter: they had done no such thing, for, under the exaggerated protection of the first, the price had fallen below 40*s*., and under the succeeding laws, it had fallen occasionally to 35*s*. or 36*s*. Now, what was the conclusion which he (Earl Fitzwilliam) drew from these results? Why, it was that there was something essentially vicious in the protective system, which defeated and nullified every conceivable mode of carrying it into effect. With regard to the present low price of corn, it was attributable to a variety of circumstances —among others, to a superabundant harvest.

The DUKE of CLEVELAND: It was not an average one.

EARL FITZWILLIAM had asked a tenant of his in Northamptonshire what the average produce per acre was, and tenants were not prone to magnify the amount of their produce, and he replied that the average in the parish in which he lived was five quarters per acre, while in the year before it was not more than three.

The DUKE of CLEVELAND: I will give a whole county (Durham) against a parish, and where the average was not two and a half.

EARL FITZWILLIAM maintained that the late harvest had been most abundant, except in the unfortunate district to which his noble Friend referred. Besides an abundant harvest, there had been a great importation of corn, caused by the great distress which prevailed in the two or three years previous, and which induced merchants to import. He would say that it would be most unwise to deceive the country again by any recurrence to protective measures; he said "deceive," because it was in consequence of those former measures of protection that the arrangements had been made between landlords and tenants to which he had alluded. There was nothing so injurious as vacillation in legislation. In the legislation relative to the import of corn, whatever other errors there may have been, there had been no vacillation—the stream had always run in the same direction. It had begun with high protection, the next measure relaxed it, and so it proceeded, the stream always tending in the same direction—each measure which was passed giving less protection than the one before; and it was not probable now that the owners and cultivators of land, or the labourers, could derive any advantage from retracing their steps, as noble Lords opposite now hoped to do. What was the law which they wished to propose? He hoped that some noble Lord who followed him in the debate would state what the law was which they wished to enact. He hoped they would not succeed in carrying such a measure, and that they would fail in carrying this Amendment; but if they did they would place themselves in a dilemma from which they could not escape; and let them not deceive themselves with the hope that it would be believed that in proposing a law for the protection of corn, they intended it to have reference to the interests of the cultivators of the land or the labourer, for it would unquestionably be attributed to interested motives.

The EARL of WINCHILSEA said, it was impossible for any man to think of the inundation of foreign corn into this country during the last twelve months, and especially from America, and not foresee the destruction of the agricultural classes. He would undertake that, before very long, he would import any number of millions of quarters here at 30*s.* per quarter, and what, then, must be the condition of the farmers of England? It was impossible for an English farmer to produce wheat under 50*s.* a quarter, upon an average, and how could he compete with the foreigner? He was very glad to hear the noble Earl opposite, Her Majesty's Chief Commissioner of Woods and Forests, openly avow what the feelings and intentions of the Government were. The landed proprietors and agriculturists, at least, might infer from the noble Earl's speech what the determination of Government was. The noble Earl plainly said, that the supporters of free trade would not retrace their steps, and that he, for one, would not recommend the Government to do so. The agricultural interests were reduced to the deepest distress by the abolition of protection. They had embarked their capital and applied their industry for years in the cultivation of land, upon the faith that its produce would be protected; and the withdrawal of that protection necessarily brought ruin upon every one connected with land in this country. To such a state were agricultural pursuits reduced, that farms could be had almost for nothing. The noble Earl opposite would find that he could get farms in many parts of England without any rent at all, if he would only undertake to cultivate them and pay the taxes. The Legislature had made a most fatal experiment; but when they saw it was an erroneous step, and that it was bringing ruin upon the country, it was their duty at once to retrace it. For his own part, he should never rest contented until agricultural interests were fairly protected; and he called upon God as witness of his belief and firm conviction that protection was for the general interest of all classes in the country. They might get foreign corn cheap, no doubt; but what would be the consequence if it pleased the Almighty to send a dearth amongst foreign nations upon whom the people of this country must be dependent for food? The position in which England would then be placed was fearful to contemplate. He thought the Legislature were bound to encourage the agricultural produce of their own country, and not to rely altogether upon foreign nations. He advocated protection upon this further ground. It was his firm belief, if agriculture was properly encouraged at home, that corn could be produced cheaper in England than it could be got from any foreign country. He apprehended the worst consequences from the fearful situation in which the labouring population of this country were placed, totally dependent for food upon foreigners. He understood the condition of the landed interests well, and expressed opinions, founded upon experience, for more than thirty years. He was intimately acquainted with the condition, not only of farmers, but of labourers, and every other class connected with land. He had been in the habit of acting as his own agent and steward, and he knew the value of land as well as any man. Now, speaking with all his experience, he had no hesitation in telling their Lordships that if any one would take the trouble to examine the investments made in land in this country, he would find that three per cent even was not made of the capital embarked in it. He would ask their Lordships whether that was the case with the manufacturers. No, certainly not. But their Lordships should understand the real objects of the late revolution in the landed interests. The cry was raised that "rents should come down." English landlords, honest, upright, honourable men, were willing to share in the general distress which existed, and in many instances, they did reduce their rents. The effect of removing protection undoubtedly would be the transference of the property of many within the walls of that House to persons who had become wealthy by mercantile pursuits. The mortgages of landowners would be foreclosed, for land would be unable to bear its burdens, and some fine morning they would find it the property of some prosperous manufacturers. That was the condition to which the landed interests would very soon be reduced by the blind and infatuated policy of the Legislature. He would, therefore, resist it in every way he could, and he was sure the Saxon blood of the honest English labourer would show its determination not to yield quietly to be trampled on and ruined. They might not collect in great masses, but they were capable of feeling a deep injury, and they would not submit to it. He believed the manufacturing population looked upon the landowners and occupiers as their best friends. They now felt they suffered from the condition to which the landed interests had been reduced, for when they had no money they could not buy of the manufacturers. He looked upon the Speech prepared by Her Majesty's Ministers as an insult to the agricultural interests, and he was certain the yeomanry, and people in general, would be of a similar opinion. They were not so blind as to be incapable of understanding the manifest object of the Legislature, and they would express their opinions plainly, as was their constitutional privilege. They had reason to complain of a severe grievance, and they had a right to express their opinions upon the subject. There never was greater distress amongst the agricultural labourers than at the present time, and hitherto they had been employed out of the capital of the landlords and occupiers of land. How was it possible to withhold relief from that large class whose distress was hourly increasing?

Earl GRANVILLE said, that having listened with respectful attention to the speeches of noble Lords who had addressed their Lordships, he thought it must be matter of satisfaction to find that there was some difference between the language held in that House and the language reported to have been used by the protectionists in the country. At all the protectionist meetings it had been represented that the distress created by free trade was general. But by the Amendment now proposed, though somewhat vague, and entirely omitting all mention of what measures noble Lords who supported it were inclined to adopt, in the event of any change taking place in the policy of the law, and by the speeches which had been delivered that evening, the distress was generally acknowledged to be confined to those classes immediately interested in agriculture. Now, those classes he believed to be the landowners, the occupying tenants, and the labourers engaged in agricultural pursuits. To them might be added the tradesmen living in small towns situate in purely agricultural districts. Beginning with the latter class, it was not unnatural that they should participate in these apprehensions if they believed that the farmers were in a course of approaching ruin. It was a matter of complaint that the farmer now, when he came into these towns, had sold his produce, and made his purchases, after having transacted his business, immediately returned home; whereas, in prosperous times, he was in the habit of dining and spending the evening in the town. Now, although this practice might for a time be injurious to the tradesmen of these towns, it was one of those prudent measures of economy which it was well for the farmer to adopt, and it certainly would not prove eventually disastrous to the agricultural interest. Again, as regarded those small towns which were not far from railways, the consumer now having the facility of sending, within twenty-four hours, for his grocery or other articles to the metropolis, the profits of the small tradesmen were consequently reduced. But he would now come to the most important part of this question of distress, namely, the state of the labourer. It was obviously the interest of the labourer to have his food, his clothing, and all his other comforts, as cheap as possible. "That is very true," admitted the noble Lords opposite, "but if you don't give him wages to purchase this cheaper food and necessaries, the labourer will be worse off than before." He was not now going into a question of political economy, but he did think the question of labour, like all other cases, depended a little on the demand and supply. One fact connected with the labourer should not be lost sight of. They were aware that the increase of population in the agricultural districts was greater than the increase of employment, that superfluity being relieved by those labourers being absorbed by the manufacturing and commercial districts. Now, it was quite clear that any step taken to injure those large interests, must immediately bear on the interests of the labourer himself, by cutting off the means of relieving the superfluity of the labour-market in purely agricultural districts. With respect to the farmer, there was no doubt that he was at the present moment passing through a state of transition. The changes which were now taking place, must materially affect those farmers who had not skill or capital sufficient to cultivate the land they at present held. Whether those changes would have the effect of stimulating them to greater efforts, or whether they would induce them to occupy smaller farms, which it would be more easy to cultivate with limited capital and skill, it was quite obvious that one great advantage would result—namely, an improved state of agriculture. No one in that House would at present, he believed, venture to affirm that agriculture in this country had even approached to anything like a state of perfection; and he therefore thought that stimulus would make the farmer more active in adopting every available means of extracting the greatest amount of produce possible for the soil to yield to his efforts. And now, with respect to the landlords, the question, as it concerned them, was simply one of rent. Some observations were made by the noble Lord who moved the Address about the inexpediency of the course taken by the protectionists at their meetings with regard to the present state of the agricultural masses. A noble Duke had adverted to those observations in a manner more warmly, perhaps, than the very temperate tone of the noble Earl warranted, and had said it was too bad that, after the agriculturists had been driven to a state of despair by the agitation of certain commercial parties, they were now to be debarred from having recourse to similar modes of agitation to obtain, if possible, redress for the injuries those parties had inflicted upon them. Now, he (Earl Granville) readily admitted that the landlords had a perfect right to assert their cause, and what they considered to be their grievances, in every legal way which they believed best for themselves and their dependants. No one denied them that undoubted right; but the only question was, whether they were agitating—but, that being an offensive term, he would not say agitating—but whether they were meeting together to obtain an object which was practicable, or not? Or whether, on the contrary, they were not following a course which was disheartening the farmer from making those efforts which it was most desirable at this moment that he should be induced to do? It appeared to him (Earl Granville) that the course which was now being pursued by the landlords, of acquainting their occupying tenants, and also their mortgagees (for the noble earl opposite particularly alluded to that class of persons), that in their opinion the landed interest was ruined—that the farmer could not cultivate the land with advantage, and that they themselves could not expect any rent, was so entirely contrary to their own interest that it was impossible to attribute any but the most conscientious motives to gentlemen holding such language. There was another class of persons who lately, both in speaking and writing, had held the same sort of language as to the difficulties of the farmers paying their rent—he meant those who were at the same time advocating free trade. Now, in his opinion, those persons were not quite justified in holding that language. He, for one, had always been the supporter of free trade; in the first place, because he believed it was calculated to promote the well-being of the community at large, without ultimately affecting injuriously the interest of any particular portion of that community; and further, he, for one, did not believe it to be true that the land of this country was over-rented, or that rents generally would have to be reduced. It might be thought presumptuous in him to speak on such a subject in the presence of noble Lords whose interests were so much more largely concerned in the matter than were his own. He would not enter into any argument why he held such an opinion, but would state certain general facts to their Lordships. The noble Earl who moved the Amendment went through the history of the different crises of protection, from the years 1814 and 1815 up to the present time. He (Earl Granville) should have been tempted to go through that identical history himself, to show how very little incompatible a reduced price of corn was with the same or even with an increased rent. Since 1815 the general landed rental of this country had increased about 5,000,000*l.* yearly. By the Committee which was appointed to consider the corn question in 1845, as stated by the noble Earl, the remunerating price was settled at 80*s.* a quarter. He (Earl Granville) believed that some of the witnesses who appeared before the Committee of that day, stated that 120*s.* was the lowest remunerating price; but the Committee adopted the opinion of the general body of the witnesses, and recommended to Parliament, and Parliament acted upon that recommendation, that 80*s.* should be the price of English corn, below which all foreign corn should be prohibited being imported. In 1822 the price was fixed at 70*s.* In short, from the first corn law in 1815, down to the corn law which had recently been repealed, the protecting price had been reduced from 80*s.* to 54*s.*; and yet all the laws had eminently failed in securing their own practical operation; for the price of corn had invariably been less than the amount sought to be established by law, the prices under the late corn law being, upon an average, 50*s.* a quarter instead of 54*s.* His argument, then, was this, that if it appeared that the price of corn had been declining from 80*s.* to 50*s.*, while the general rental of the land had increased 5,000,000*l.* yearly, there was no reason—allowing for an increasing population, and for the increasing prosperity of the commercial and manufacturing interests of the country—why they should not have the price of corn reduced still lower than 50*s.*, and yet be able to afford a rent equal in amount to the present, or even in some instances greater. But in saying this, he wished to guard himself against any particular instances. There might exist cases where the rent might require to be lowered. He had heard of lands being let, and also of being sold, at very high rates. But it was not fair to argue from special instances. Without venturing to prophesy what might hereafter be the case, he would state that his belief at present was, that 40*s.* was an unnaturally low price. He thought there were many reasons to account for the present reduced price of corn; as to its being entirely owing to free trade, he could not believe it. He was in Paris a short time ago, and he spoke to many on this question, and the opinion they held on it was almost universally the same. They said that their country was still almost in a revolutionary state, and that it was of great advantage that the labouring classes should in such a position of things be provided with cheap food. Now, it appeared to him (Earl Granville) that that observation equally applied to a country which was in a state of profound peace. But while the people had this advantage, yet there was no doubt the price of produce in France was so low that it was impossible for the tenants to pay their rents. Now, that circumstance could not be owing to free trade, for the duty on the importation of corn into France at this moment was from 30*s.* to 40*s.* With regard to the question of competition with foreigners, he felt it unnecessary to go into that point, from the statement which had been made by the noble Earl who moved the Amendment; for that noble Earl had declared his belief that, in the course of years, the English farmer could produce cheaper corn than the foreigner could. As to the inability of the English farmer to compete with the foreigner on account of the peculiar burdens imposed upon him—the allegation being that the English farmer was too heavily taxed—he begged to ask whether the noble Earl had given any data on which that observation was made? He did not mean merely proof that a larger amount of revenue was exacted from the Englishman than from the foreigner; but that the revenue so raised was larger with respect to the English farmer in proportion to his means of paying it, than the revenue levied in any other country. He considered it very natural that noble Lords, after just coming up from the country, and after having been surrounded by their tenants—who were labouring under, as he thought, a panic, but, as they believed, only a reasonable apprehension for themselves, thinking that distress was coming upon them, and believing that there were no means within their own power of alleviating that distress—it was very natural, under these circumstances, that their Lordships should come forward with warm and anxious feelings, and endeavour to devise some means, by legislative enactment, for relieving that distress. But he did trust that when those noble Lords should have more calmly reflected upon this matter—when they should learn, what he had not yet heard the noble Earl or any other noble Lord prepared to deny, that the great mass of the people were in a satisfactory condition — they would reconsider the course they were about to pursue on this question. It appeared by returns that there was 7 per cent less of pauperism in this country on the 1st of January, 1850, than there was on the 1st of January, 1849. He could not agree with the noble Duke (the Duke of Richmond)—though he felt the greatest respect for the landed interest, and though he believed it was the source of immense wealth to this country—yet he did not agree with the noble Duke that it was the duty of the Government, by artificial means, to force up that interest, in order that it might become the basis of the prosperity of the country. He did not think it was the duty or the interest of a Government to foster any species of industry by special means. In his opinion, Her Majesty's Government had adopted a much wiser and surer course of policy for insuring that prosperity. He considered that they had arrived at a high and proud station in having secured the tranquillity of the country and bettered the condition of the great mass of the people by more natural and more statesmanlike means. Believing that it was from the prosperous condition of the mass of the people that the prosperity of all other classes in the country could be derived, he hoped their Lordships would reflect, and consider whether it would not be better to give a fair trial to those measures which had been so recently enacted. It was impossible to arrive at a satisfactory opinion as to the merits of those measures by the results of merely one or two years' experiment. One reason why he believed there was so much ground for hope that the farmers of this country would be able profitably to produce corn and food at a cheaper rate, was the fact that, with reference to all other staple manufactures, that result had taken place. The prices of cotton fabrics were about one-seventh of what they were in 1815; it was the same with cotton yarn; there was hardly one article of manufacture that had not been cheapened by competition. He thought, therefore, that if their Lordships would turn their attention to those general measures which affected all interests alike; if they would make those reductions in the public expenditure which were necessary and practicable; and if they would, either by themselves or by their tenants, apply the same amount of capital, skill, and attention to the cultivation of the land which was bestowed on merely manufacturing and mercantile matters, it would be a better thing for the country than if their Lordships should be able to carry the Amendment, which, as he had already observed, was somewhat vague, and which in no way mentioned the course their Lordships were prepared to pursue, except the bit of information given by the noble Earl that he would not rest satisfied till protection was regained. What amount of protection the noble Earl required, he (Earl Granville) knew not; but one thing he was perfectly convinced of, namely, that their Lordships would be labouring under a very great delusion if they thought that the great majority of the people of England would ever consent to re-enact protection again in this country.

Lord BROUGHAM said, he did not mean to delay long upon Her Majesty's Speech, which, by a course both Parliamentary and constitutional, he was entitled to consider the Speech of the noble Lords opposite. But among two or three things which deserved his attention, there was one, namely, the admission that a very great amount of distress existed in this country at the present time; and if the amount of distress existed, as was said, among the agricultural classes, he took it to be a clear and settled proposition that it was a matter deserving the attention of the Government. But he was not at all of those disposed to ascribe this distress to causes he had heard some noble Lords attribute it to, as the agitation of one party, or to a panic among the others in this quarter or in that—the fact of distress might be exaggerated as to its amount by agitation or by means of the panic; but that that fact of distress had had, as far as by possibility it could have had, the effect of producing the unhappy state of things which was to be deplored throughout the country, was a proposition so clear as to be indisputable on either side. He, for his part, should be very far from denying the existence of the distress, or diminishing or correcting the exaggerations made touching it, and for this reason, among others, that he well knew from experience that with individuals as with societies there was no greater difficulty than to persuade a man that he was less ill off than he thought himself, or that the rest of the community was no better off than himself. He could assure their Lordships that he would feel delighted and comforted if he could deny the existence of the distress; but it was his entire and firm conviction that there was no exaggeration whatever in the statements made of its amount. But that proved nothing as to the causes to which the distress was attributable. He was prepared to defend his old opinions on this subject, for they had undergone no change. The measure was an experiment. He contended that all great changes in the internal policy of a Government were experiments, and that all wise legislators, on that ground, ought ever to be ready to modify their opinions or to retrace their steps, or entirely to abandon the course they had adopted, if the consequences were not such upon actual trial as to justify them in persisting in their course. All legislation, all government, all public policy, was necessarily experimental. In saying this, he was only confessing that men were mere finite beings, who never knew beforehand what was to be the result of their most deliberate measures. But then he must have no bias on his mind when he came to judge whether his experiment had succeeded or failed. He must have no sinister motive to prevent him from at once declaring, if he found he had been wrong, that he was wrong, and that his experiment was ill-contrived, or rashly applied, and had been a failure. But if he had obtained a fee, which some agitators had done, and which he must disgorge before he could form an honest judgment, then that fee he must give back before he could say that the experiment for which he had been feed had succeeded or failed. He stood not in that position. He had no bias on his mind. If he thought he had acted wrong, he was prepared to avow it, and ready to accompany their Lordships in retracing their steps. But, if he felt no bias to influence his judgment, so neither did he feel that any argument had been adduced to alter his judgment. Upon the most deliberate view which he could take of the events which had happened in the interval, he was clearly of opinion that they were right in 1846, and that they should be wrong, immeasurably wrong, now to attempt, if it were possible, to retrace their steps. This distress complained of by some of their Lordships, was by no means confined within the limits of this island. He spoke with confidence, because he spoke with knowledge, when he said that in the great neighbouring country — in France — with a population of 33,000,000, for the most part agricultural, the very class who were now most complaining in this country, though a smaller class here as compared with the rest of the population—he spoke a fact which came within his knowledge, when he said that in France, and all over France, they were suffering at this hour, and had been for months past suffering, a deep distress, as much as ever this country had suffered in its worst moment, and very considerably more than we were suffering now. He would state to their Lordships the results of his knowledge as to the condition of the corn-growing regions of France. He might most truly say that it was now in the most complete state of agricultural suffering; the rents were reduced, but none, or next to none, were paid; land was thrown out of tillage; the farms were being thrown up constantly, and there was no possibility of even finding successors to the outgoing tenants; and the labourers of course, in very many instances, remained unemployed, without the auxiliary of a poor-law to fall back upon. Now, to show them the cause of this, and how little it had to do with free trade in corn, he might state to them that seeing corn landed at the port one day near his residence, he went down and inquired whether they ever imported any corn from Odessa, or from Africa, once the granary of the Empire? "Oh, no," said they, "there was plenty of corn there for them if they chose, no doubt, but they could not bring it into the country." As the noble Earl (Earl Granville) had truly said, France was a protected country, and had nothing to do with free trade; not one ounce of any grain or flour or meal could now be imported; and yet distress, agricultural distress, was found prevailing in every quarter. Then as to our people being more heavily taxed than others. Being desirous of obtaining the most satisfactory information of the condition of the French people, and the amount of their burdens to the State, he had placed himself under the tutorage of an inspector of revenue for a district near his residence in the south, containing 10,000 souls, and with him he carefully inspected the tax-books and the last year's receipts. Of these 10,000 there were 2,600 proprietors of land, 2,100 of these being owners of mere bits of land, which they called their estates, submitting to the evils of subdivision for the fiction which all Frenchmen hugged to their bosoms under the name of "equality." The direct taxes were levied in these cases on the rental; but as every proprietor was his own tenant, the tax was levied in effect on the estimated yearly value of the land. The land was valued on the books which he inspected at 136,000 francs, yearly value, and the inspector showed him the receipts of last year for about 40,000 francs of direct taxes; that was more than one-fourth, and nearly one-third, of the actual value of the land. There was 11 per cent of direct land tax, 8 per cent on the doors and windows, and 8 per cent on what by a curious speculation of the financial mind was taken as the rent each householder was supposed to pay himself for inhabiting his own house, and on the amount of rent, suppose he let it out: be that rent received from the house or not, the taxgatherers said they ought to receive it. In other words, supposing the yearly value of an estate to be 3,800*l*., 2,700*l*. was the total amount which had to be paid. It was in the proportion of twelve to nineteen; so that if any one of their Lordships should have an estate of 19,000*l*. a year, as many of them had estates worth ten times that amount, or at least had before this distress, then they would have to pay 12,000*l*. for the support of Government. The French people, however, were quite content to pay that amount, so that they were allowed to have liberty, for which they cared nothing—equality, for which they cared much. Their Lordships must also consider that France, in addition to direct taxation, was also subjected to indirect taxation upon the consumable commodities imported into the country, which also had the effect of raising the prices of the necessaries of life. In Germany the taxes amounted to 25 per cent. They often heard of the light taxation of the United States of America; but the grievous and gross mistake made by those who cried out about liberty and light taxation in the United States was, that they looked only at the federal Government. They said it was a cheap government; and so the federal Government was; but they forgot that each separate State paid for its own government, for its own justice, for its own establishments, and for every one of those things that made it necessary to impose taxes upon the people; so that he did not think that they had much to brag of in the United States as compared with ourselves in point of taxation. This was not immaterial to the present argument, because when it was contended that this country was so heavily taxed that its agriculture needed protection, it was necessary to look into the matter, in order to see whether we were really more heavily taxed than other countries; and when he did so narrowly look, he was satisfied that we were not. Though he did not consider that the distress which had existed had been in any degree exaggerated, he must at the same time disapprove in the strongest manner of the language that had been used at some of the meetings held in the country. He had, with strong feelings of indignation, seen respectable men borne away by this zeal to do all but threaten even assassination. He hoped, however, they would never have recourse to such threats of violence as were, though in general terms, thus openly recommended. He had with yet greater horror, seen yet more plain exhortations to assassination. He had seen deliberate letters written by literary men, who audaciously put their names to them, and published them in the journals conducted by persons in the service of our Government, and in terms and words recommending the assassination of princes on the Continent of Europe, and holding out to the assassins the sure refuge that would await them in the United States of America. It was a foul and monstrous libel on our kinsmen in the United States, for he believed that if any miscreant were to raise an unhallowed arm in obedience to any such fanatical reformer, or falsely pretended lover of peace, against the life of any Sovereign in Europe, instead of being received with open arms by the honest American, he would be rejected and spued out of the country with abhorrence and disgust. There had been sundry disclosures made regarding the distress which affected other portions of the community in this country beside the farmers; and he could not but refer to the manner in which a respectable morning paper had most ably and usefully given circulation to a great deal of curious and interesting information respecting the grievous sufferings of a large portion of their unfortunate fellow-creatures, and, above all, of the women employed in needlework. While he admitted the existence of those sufferings, however, he felt himself most reluctantly bound to dispute some of the remedies which most benevolent and most excellent individuals were proposing for removing the evil. But it was a subject he approached with great pain. The details were enough to melt the hardest heart. He knew that there were numbers of meritorious individuals scarcely able to keep body and soul together on their labours of fourteen hours a day, existing on the smallest pittance of food with which animal life could be supported, and conducting their labours with an industry and assiduity that passed all belief, as it exceeded all praise. All this he felt as strongly as did those benevolent and charitable individuals of whom he had spoken; but, alas! what was the cause of it? It was, that in proportion to the demand for labour there was an overabundant supply. It was, that in proportion to the wants of those who were to be paid for their labour, there was no proportion in the wants of those for that labour who were to pay them. It was, that they were paid *2d.* or *2½d.* by the day, because their employers would not pay more, and because no law they could make, no lectures on charity they could preach, would ever make the employer pay *4d.* when he could get the work done for *2d.* But, it was said, what harm was there in taking off a portion of the labourers, and lessening in the market the superabundance of hands? Let us, it was said, take off so many thousands of those hands, and should we not thereby adjust the supply more nearly to the demand? No, indeed, shortsighted charity! Benevolence, more benevolent than beneficent! zeal, but rather without knowledge! Who could doubt that if they took 10,000, 12,000, or 20,000 individuals out of the labour market, the price of labour would at once rise; but did they not see that this very success would bring in twice as many as were taken out, simply because the price of labour had risen? So that instead of the market rising from *2d.* or *4d.*, it would, in the end, after a temporary rise, fall lower than ever. It was like digging a hole, not in wet, but in dry sand, which, the instant it was taken out, was replaced by other sand rushing in. But then, emigration was to be the resource. Emigration had two objects: one was to give labour relief, and raise the price of labour; but it was evident this would be attended with the exact effect he had referred to. The other object was to give labour to the colonies; in that case it might be very useful; but, possibly, the colony might be nice, and refuse all labour but that which could be given by virtuous individuals, so that they must first scrutinise their emigrants and send the best of them abroad, though he did not see why, if they were likely to make good wives, they should not remain at home to get good husbands. According to this mode they were sending away the best part of the population, and retaining the worst. He must say, when on this subject, that he never was more astonished (much as he sympathised with the dislike of receiving convicts) than to hear of one of our colonies refusing to the passengers of an unhappy convict-ship a landing after having been tossed about for three months of a tempestuous voyage. The noble and learned Lord concluded by stating, that having seen no cause why they should retrace their steps on the corn laws, he was unable to vote for the Amendment proposed by the noble Earl.

Lord STANLEY could only say that he participated in the gratification with which he was sure all must have heard the speech which his noble and learned Friend had delivered upon the present occasion—he was about to say, upon the present question. He confessed that the speech on the present occasion, at least the half of that speech, if not the whole of the speech, had a very indistinct connexion with the subject which now demanded their attention. It might be his ignorance that made him say so, but he must confess, that at least in the one half of his noble and learned Friend's speech, he could not trace the smallest connexion between the Speech of Her Majesty which was then under their consideration, or the Amendment which had been submitted to their consideration with such great good temper and judgment by his noble Friends the noble Earls behind him. Before, however, he adverted to the question which was then especially under their consideration, he wished to be permitted to say a very few words upon topics in the Royal Speech which had hitherto been passed over in the discussion, and on which there could not be the same difference as upon the main subject for their consideration. He was quite sure that there was not one, not only of their Lordships, but hardly an individual in the country, who would not echo—and that not in the mere language of formality, but of perfect sincerity—the hearty expression of condolence to Her Majesty upon the loss which Her Majesty and the country also had sustained in the lamented, and, he might add, the premature death of the Queen Dowager. He was quite sure that they would all concur in believing that the extensive charity and exemplary virtues of Her late Majesty will always render her memory dear to the nation. She had left an example how, with becoming dignity, she could occupy a throne, and with what becoming grace the same individual could retire into private life. It was no formal expression of condolence that was given utterance to on this occasion. It was the manifestation of that which was the universal feeling amongst all classes and conditions of persons in this country. He would also concur with their Lordships in the expression of their gratitude to Providence, who, having visited them with a most formidable disease, had now permitted it to pass away, and had now restored the country to its present state of health. He concurred in thinking that they could best evince their gratitude by vigilant precautions against the more obvious causes of sickness for the future, and an enlightened consideration for those who were exposed to its attacks, and by extending as far as they could the promotion of those sanitary measures in favour of the lower and humbler classes of the country, which were no less conducive to their bodily comfort than to their moral elevation. While he entirely concurred in the propriety of those precautions recommended in the Speech, he thought at the same time there was no subject over which it was necessary to watch with more care than these sanitary measures. There had occurred in connexion with them a great deal of unfortunate mismanagement; and he was much afraid, if great care was not taken, that they might even do injury instead of the good which they hoped to promote by such measures. With regard to the various measures which on the part of the Crown were to be submitted to the consideration of their Lordships during the present Session, they no doubt related to matters of great importance; but, as on all other occasions similar to the present, he thought it would be most improper to express any opinion upon those important subjects till they were in the ordinary way brought under discussion. They would thank Her Majesty that such measures were to be laid before them on the responsibility of the Crown, and they would promise to give them that attention which their importance demanded; but, in the meantime, they would reserve their opinion regarding them till they were submitted in the proper form. There was, however, one topic mentioned in the Speech, on which he should indulge himself by making a remark. It was stated that Her Majesty "rejoiced that the Governments of the United States of America and of Sweden had promptly taken steps to secure to British ships, in the ports of their respective countries advantages similar to those which their own ships now enjoy in British ports." He maintained in the strongest manner all the opinions he had expressed on former occasions with regard to the impolicy, in a national point of view, of that great experiment on which they ventured last Session of Parliament; but if there was to be any modification of the evils arising from the repeal of those navigation laws, it must be from the complete and entire reciprocity of other nations who might be willing to treat with them. He believed, however, there was no country in the world that was able to give to this country full reciprocity under a repeal of these navigation laws. He still believed that measure to have been an injurious one; but if the experiment was to be tried, he should rejoice to see it tried fairly, and in a spirit of reciprocity. The noble Earl who moved the Address in answer to the Speech from the Throne stated, that the very countries which we thought would be the last to reciprocate our advances, were in fact the first to do so; and he instanced the United States of America as one of the last countries expected to reciprocate. Now, the noble Earl must have forgotten that, in the course of the discussion on the repeal of the navigation laws, it was stated distinctly that the laws of the United States would entitle us to all the advantages that this country could give them by the repeal of our navigation laws. He was grateful for the assurance—though certainly it did not convey much news—that we were not at war with any Foreign Power. They were told, "Her Majesty happily continues in peace and amity with all Foreign Powers." Now, in all the Speeches which he recollected to have heard delivered from the Throne, there was language introduced to express in the most confident terms the footing on which we stood with foreign Powers. The Royal Speech used to say that the Sovereign had received from Foreign Powers assurances of friendship; and they were told that they had the most cordial understanding with them, and that they were now on the most friendly footing with the other Powers. On the present occasion Her Majesty told them, no doubt, that they were not at war with France or Spain, or with Russia and Austria; but would Her Majesty's Ministers venture to say that we were on a friendly footing with Austria, and that we were also on a friendly footing with Russia? He rejoiced that they had the blessing of peace; but he should have rejoiced still more if Her Majesty's Ministers had been able to state—and if the fact had been so, they would have stated it—that we had friendly relations with all the great nations of the European Continent. Upon the next topic which was touched on in the Speech, he presumed that some further information would be laid before the House within a short time, as to the circumstances that had actually occurred with respect to the "differences of a serious character" which had occurred "between the Governments of Austria and Russia on the one hand, and the Sublime Porte on the other," and with regard to which he rejoiced to learn that "the explanations which had taken place between the Turkish and Imperial Governments had fortunately removed any danger to the peace of Europe which might have arisen out of these differences." After having told them that explanations had taken place which had removed all danger, they were informed that "Her Majesty having been appealed to on this occasion by the Sultan, united her efforts with those of the Government of France, to which a similar appeal had been made, in order to assist by the employment of her good offices in effecting an amicable settlement of those differences in a manner consistent with the dignity and independence of the Porte." Now, if an explanation had already taken place that had removed all apprehensions of danger to the peace of Europe from any rupture between Turkey and the Imperial Governments, perhaps it was hardly necessary that the French or British Government, by their mediation, should have interposed to effect an amicable settlement of the differences between them. He did not know what were the instructions issued, either to a plenipotentiary or to any other party, with regard to the measures to be taken for effecting an amicable settlement of these differences in a manner consistent with the interest and dignity of the Porte; but on this subject he apprehended they would have papers laid before the House; and, in the present state of things, he was disposed to concur in thanking Her Majesty for the information that Her Majesty had laid before them. Before quitting the subject of our foreign policy, however, he begged to say that there was one question upon which he had hoped for some information, and of which he expected that some notice would have appeared in the Royal Speech. He thought it was whilst Parliament last sat that the French Republic sent a small force to the coast of Italy, which small force was subsequently increased to a very large amount, and which augmented force conducted the siege of the city of Rome, which city of Rome they occupied, and in which city of Rome, under what pretence or reason he knew not, they had continued to exercise power up to the present moment, thus dividing the dominions of the Pope between the French occupation of the western coast, and the Austrian occupation on the eastern coast. He did not wish to add to existing embarrassments arising out of this subject, but he did firmly believe that the French and Austrian Governments were at this period acting in accordance with regard to the affairs of Italy. He did not believe that there was any danger of an immediate outbreak of war; but it was a question upon which this country could not look with absolute indifference, that Italy should, without, as far as he could judge, any ground whatever for such continued occupation, be occupied by two foreign armies—that that occupation should have continued for the space of eight, nine, or ten months—and that it should not have occurred to Her Majesty's Ministers as a matter of sufficient gravity and importance to warrant the insertion of a paragraph in the Queen's Speech, stating that they had received assurances that satisfied them that no evil consequences were likely to arise from that occupation. The noble Marquess told them last year that he had had assurances from the French Government that their troops would be withdrawn as soon as the object they had in view was accomplished, and that he believed that object was the restoration of tranquillity in the Papal dominions and the restitution of the government of the Sovereign Pontiff. What might have been the object of the French Government, he (Lord Stanley) knew not; but it was stated by the noble Marquess that there was a time, and that that time was not far distant, at which Her Majesty's Government expected that this provisional occupation of Italy by hostile armies—that this anomalous state of things—should be put an end to. He now came to a point where he was compelled to object to the terms contained in the Speech from the Throne. He did it with sincere regret, for he could assure the noble Lord that there was no object for which he was more anxious than that the terms of Her Majesty's Speech should be such as not to force upon those who entertained the same opinion as he did himself upon agricultural matters, the necessity of objecting to them. He felt most anxious to concur in an unanimous Address to the Throne; and it was with the sincerest regret that he found the terms used in the Speech to be such that it was impossible for him, with his feelings relative to the condition of the agricultural interest, to agree to the language of the Speech itself, or of the Address moved in answer to it. He could not separate the language of the Speech itself, objectionable as it was, from the fact that the selection of the Mover of the Address in the other House had been made by the Government, deliberately, from the strongest and most strenuous supporters of those free-trade measures, which, if not the cause, he believed had greatly aggravated agricultural distress in this country and in Ireland; and, taking also into consideration the speech of the noble Mover, and that of the noble Seconder of the Address in their Lordships' House, if it were the intention of Government, through their organs, to provoke the necessity of discussion and the necessity of an Amendment, that necessity would have been found in the comments with which the noble Earl who opened the discussion had addressed himself to the question. The text of the Speech itself, though not intentionally, was insulting to the agricultural interest as a body, and passed over, in a light and trivial manner, that distress which had been admitted by his noble and learned Friend (Lord Brougham) to be most disastrous, and not exaggerated in point of fact by the statements made at the meetings in the country. In what terms had that distress, so general, so prevalent, so severe, and so ruinous with regard to Ireland, been referred to by the Speech placed in Her Majesty's mouth? "It is with regret that Her Majesty has observed the complaints which in many parts of the kingdom have proceeded from the owners and occupiers of land." In the first place, this was not a fair and candid statement of the case. The complaints which had been made were loud and general. The distress was great and grievous. The distress was not confined to, and the complaints had not proceeded exclusively from, the owners and occupiers of land. The distress reached far beyond the owners and occupiers of land. Nay, primarily, and before it touched the owners or the occupiers of land, it touched a class still more numerous and more deserving of their care, because more helpless—it touched the labourers of the soil — it touched the small shopkeeper—it touched the mechanic—it touched the artisan—it touched the numerous classes who were not either owners or occupiers of the soil, but whose all depended upon the well-being of the owners and occupiers of the soil, and who were the first and severest sufferers from the present agricultural distress. Therefore, he repudiated the expressions in the Speech that the distress was confined to, or that the complaints proceeded exclusively from, the owners and occupiers of land. The distress was great, general, and grievous among all those classes who were never, until the speech of the noble Lord the Chief Commissioner of Woods and Forests, accustomed to be considered as secondary and subordinate interests. The Speech went on to say, that Her Majesty greatly lamented that any portion of Her subjects should be suffering distress. Great distress there certainly was; the owners and occupiers of land were complaining, and She observed their complaints with regret. It was certainly an annoying fact—it was disagreeable that any class, however unimportant, however insignificant, or however fractional in point of numbers, should be suffering distress; "but it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life, which cheapness and plenty have bestowed upon the great body of Her people." He trusted that he should not be misunderstood as deprecating, depreciating, or undervaluing the advantages of plenty and cheapness, especially when they gave to the great body of the people an increased measure of the necessaries and comforts of life, in such cheapness and abundance as were produced by a plentiful harvest in the year 1835, which gave the employers of labour ample means to employ those who were dependent upon them, and furnished, at the same time, to the population the means of subsistence at a cheap rate—in such cheapness and abundance that no man living would rejoice more cordially than he (Lord Stanley) should, or regard it more as a matter for sincere congratulation. But he feared the Government had fallen into an error. They had been led by those whose footsteps they had been too easily induced to follow — who, because they made a great deal of noise, considered themselves all in all in this country—that everything must be secondary to them—that they were the people, and that every other class was but a fragment and a fraction of the people. The "great body of the people" were not to be placed where the Queen's Speech placed them—in opposition and invidious contrast to the owners and occupiers of the land. With regard to that great portion of the people whose interests were involved in the cultivation of the soil—and they formed a very large, and hitherto a primarily-important, portion of the population—he contended that cheapness and abundance of foreign imports had not given to them that great command over the necessaries and comforts of life which they were led by the Speech to believe was the case. If, as was the case, the wages of labour throughout the agricultural districts had fallen from 11*s*. to 8*s*., from 9*s*. to 7*s*., and from 8*s*. to 6*s*. weekly; if it were true that, in order to produce upon the whole community the small fractional diminution of 7 per cent upon the number of paupers actually receiving relief, there were men working on the road at 6*s*. a-week for three days of the week, and called to subsist on 3*s*. a week—if there were men who worked upon the roads at reduced wages to keep them out of the union houses, and to spare the poor-rates the cost of their maintenance—then he said that it was a mockery, a cruel mockery, to talk to those men, whose employment was taken from them, and whose wages were diminished, of the additional means which cheapness and plenty afforded them for enjoying the necessaries and comforts of life. The noble Earl opposite (Earl Granville) said, that throughout the whole country there was 7 per cent less pauperism in January, 1850, than in January, 1849. But the year which terminated January, 1849, was a year of the deepest depression — a year which he remembered noble Lords opposite always talked of as an exceptional year not to be taken into consideration, and which, from various causes, was a year of the greatest possible distress among the agricultural and manufacturing population. But taking the year 1848—a year of deep depression—a year in which the poor-rates had exceeded by one million sterling the poor rates of the preceding year, with lower prices for agricultural produce, and then tell him that, as compared with the year 1848, there was upon the 1st of January, 1850, a diminution of 7 per cent in the pauperism of the country; and add to that the fact, that whereas the last year was a year of great manufacturing distress, and that the present was a year in which the manufacturing prosperity was so great as to make it a matter of congratulation in Her Majesty's Speech. From the diminution of pauperism to the extent of 7 per cent on the whole country, deduct the large diminution which must have taken place in the manufacturing distress, and upon the figures of which the noble Earl himself had read a few that night he founded an indisputable inference that, great as was the agricultural distress last year, that agricultural distress was infinitely greater this year; and it was with regard to agricultural distress and agricultural pauperism that the Amendment of his noble Friend was directed, and not to any allegations of general distress in the manufacturing and commercial districts. He rejoiced as much as anybody could at the improved accounts of manufacturing prosperity. He took it for granted, upon the statement of the noble Earl that there was a large increase of exports and imports, that the public revenue was flourishing, and that trade was prosperous. He admitted it—he rejoiced in it, and heartily united in the congratulations of Her Majesty upon the subject. But he was not prepared, and Ministers had not called upon them, to attribute this to any specific cause, or to say that it was the consequence of free-trade measures. When he looked, indeed, at the amount of the exports, there were various circumstances which indicated that that increase of prosperity — not reaching, but very nearly reaching, the amount of our trade in 1845 and 1846, and previous to those distressing years of 1847 and 1848 — had been wholly independent of their free-trade measures, and arose from totally different causes. It was a remarkable fact, that of their exports of calicoes, in which there had been an enormous increase of something like 128,000,000 of yards in the present year, no less than 89,000,000 of yards were exported — where? — to countries where free trade had been established? No; but to British India; and a very small proportion indeed of their calicoes had gone to those countries which had adopted the principles of reciprocal free trade. He only trusted that this prosperity might not lead to overtrading, to overspeculation, and to the glutting of foreign markets, of which we had already seen some indications, but that it would be permanent and enduring. But if he admitted the existence of prosperity in our manufactures, and that it was owing to the cheapness of food in this country that the manufacturers had been able to produce more cheaply, and to export more abundantly in return for foreign imports, it was not in any invidious sense that he stated that the boon thus conferred upon the manufacturing districts had been so conferred upon them at the expense of agricultural industry; for he did not think that any man would deny that the great reduction which had been caused by free-trade measures in the prices of agricultural produce, had had a very considerable effect in causing that distress which they all deplored, and which, to a greater or lesser extent, they all acknowledged. His noble and learned Friend (Lord Brougham) said that the distress of agriculture could not be referred to free trade; "for," says he, "in France there is no free trade — in France there is strictly a system of protection; yet in France all classes connected with agriculture are labouring under the deepest and most aggravated distress." He would take these facts; and he would agree with his noble and learned Friend thet they were wholly different with regard to France and England. He joined in the expression of sincere gratitude that by the favour of Divine Providence this kingdom had hitherto been preserved from the wars and convulsions which, during the last two years had shaken so many of the States of the Continent. But in those wars and convulsions he saw one cause, and one most important cause, of the agricultural distress admitted by his noble and learned Friend. His noble and learned Friend had told them that the state of the land in France was extremely different from what it was in this country. And in what did the difference consist? Why, that under the principles of "liberty, equality, and fraternity," there had been a minute subdivision of the soil amongst small and poor proprietors, which rendered it impossibe duly to cultivate the soil by laying out a proper amount of capital in its improvement; and yet one of the principal objects of the declamation of certain parties, under whose guidance, unfortunately, Her Majesty's Government appeared too much to be proceeding, was against the class of large landed proprietors in this country, who, they said, had more land than they were themselves able to cultivate, and were, therefore, compelled to screw the rents out of the tenants who did cultivate it. This was no question of rent; but even if it were, he would ask them whether they were prepared to cut down the weight and importance of the landed aristocracy of the country, and to seek to apportion the land of this country, as was done in France? He could tell them they were proceeding in a rapid line towards that to which one of the great leaders of the movement pointed his ambition and aim—namely, a safe, permanent democracy. If they were seduced by any considerations to adopt such measures as were thus recommended for breaking down the great weight, influence, and property of the landed aristocracy of the country, the aristocracy might, no doubt, fall—their days might be numbered; but with the numbering of their days were also numbered the days of the British monarchy. If the views of the people were in favour of a republic, which was almost the avowed object of many of the leaders of this movement, where, then, were they to look for the security of property, the investment of capital, the improvement of the soil, the extension of agriculture, which was now so loudly called for? There would not be found any of those improvements which were now carried on, but they would find themselves in the condition of France, a condition owing to the entire abolition of the aristocracy, and the minute division of the soil. Then would come the greatest distress upon the small proprietors of land, which had already been so graphically described by his noble and learned Friend. He turned now to the question connected with the crushing weight of taxation. It was true that France had protection, but she had also wars and internal convulsions, from which, with the blessing of Providence, our constitution had as yet preserved this country. The possession of property in large lots, and the existence of an aristocracy, had up to this time secured us from those miseries to which France was a victim. The misery inflicted upon the proprietors in France should serve us as a warning against following this cry of direct taxation, with a view of reducing the agricultural and landed interests of this country. But what reason had they for supposing that the distress which at present existed would be but temporary? What was there to account for the prices of corn in this year and the last year declining? The decline, too, he did not think had ceased at the present time. The noble Lord the Chief Commissioner of Woods and Forests, gave us an extraordinary reason for this decline—namely, the great failure of the harvest in Ireland, and the fact of half of the food of the people in that country being swept away by the loss of the potato crop. He (Lord Stanley) was, no doubt, a man of ordinary understanding; but he would think that that argument told exactly the other way. He would have thought, indeed, that such a state of things would have had the effect of increasing the price of corn rather than of reducing it. What, then, were the temporary causes of this decline? Last year they had a plentiful harvest—so plentiful that the corn was hardly worth reaping. Last year they had low prices, because they had a bad harvest; and it seemed that this year they were to have low prices because they had a good harvest. In addition to the internal harvest of 1849, which was such a plentiful one, they had imported wheat and wheat-flour to a considerable amount. The price was 69*s.* 9*d.* on the average of 1847; 50*s.* 7*d.* on the average of 1848; and 44*s.* 1*d.* on the average of the first four months of 1849. There were imported, in 1847, 4,456,000 quarters; and in 1849, 4,533,523 quarters. So that there was an actual increase in favour of the latter year, with a low price, over the import of the year of famine, 1847. But, it was said, "Surely these people won't continue sending in their corn. They might send it in at 69*s.* 9*d.*; but they won't when the price is lower." However, they had sent it in at 50*s.* 7*d.*, and, in larger quantities still, at 44*s.* 1*d.* When discussing the question of protection some time ago, they were met with the argument that the foreigner would not go on importing unless at remunerating prices. At that time a noble Friend of his, now no more (Lord Ashburton), stated, with his usual sagacity, that there were districts whose production was illimitable, and which, so long as England continued at all times, and under all circumstances, to admit corn duty free, would pour in grain continually, glutting our markets at that which would be a remunerating price for them, because they would be only supplying their own superabundant production. But he did not believe that the foreigner was importing at a loss. He recollected when they were discussing *à priori*, and not with the light of subsequent experience, the question as to the probable price under a perfectly free trade in corn, that he took the liberty, upon the authority of some statements he had, of expressing his belief that, within three years, they would see an importation of from 4,000,000 quarters to 5,000,000 quarters of wheat, at a price varying from 40*s.* to 45*s.* That prophecy was, he contended, a strong *primâ facie* evidence that the present low prices did not depend upon temporary causes, but were the natural result of the measures then proposed. In addition to what he then said, he would further say now, that he did not think the price could permanently rise in this country above 40*s.* or 45*s.* a quarter. At the time of the passing of the measure for repealing the corn laws, there wasn't a man who didn't scout the notion that the effect of that measure would be permanently to bring down the price of wheat to 40*s.* or 45*s.* The noble Earl opposite (Earl Grey) went so far as to say, that immediately the corn laws should be repealed, he would raise his rents. Now, though he did not admit that the question of rental was unimportant, he did not say that the primary object he had in view was the maintenance of the existing amount of rent. His primary object was to prevent, owing to the diminution of price, large tracts of country being diverted from the cultivation of wheat, which would throw large masses of the population hopelessly out of employment. And if that unfortunate occurrence should take place anywhere, it would be primarily in those districts in which, on the faith of a long series of legislation, the largest amount of capital had been employed, naturally to the poorer soils, where, by the exertions of such men as Mr. Coke, land, naturally sterile, had been brought to a state of high improvement, and where, were such outlay of capital to be discontinued, the land must in a short time revert to its original barrenness, and the population which had been led to establish itself with a view to honest industry upon those lands, be driven from the face of the earth, or led to earn a precarious livelihood at the half-deserted loom. The noble Earl (Earl Granville) stated that the agriculturists first said 80*s.* would be a good price, then that 70*s.* would be a remunerative price, and now that 56*s.* would answer very well. But the noble Earl omitted to state, what he knew would not suit his argument, that 70*s.* was demanded prior to the alteration in the currency, and 56*s.* afterwards; so that, though there was nominally a difference of 14*s.*, there was in reality little, if any, diminution. The noble Earl said, "See how the rental has increased—it has increased 5,000,000*l.* since 1815." But that was not the rent of the land, but the interest of the capital sunk in the land; and it was an interest which, he would venture to say, if offered to any manufacturing or commercial gentleman, would be scorned by them as an utterly insignificant remuneration for anything like the amount of capital that had been expended by the landed proprietors. His noble and learned Friend said, that nobody would give 4*d.* for what he could get for 2*d.* He (Lord Stanley) believed that that was the principle of the party that had recently sprung up into prominence; but he was happy to say that that was not the principle acted upon by the gentry of England, and that they would, when they could get labour for 6*d.*, give 1*s.* for it; because, though they knew the supply to be such as to enable them to obtain volunteer labour at 6*d.* a day, they knew that a man could not live upon such a pittance, and would not descend to such starvation prices. And yet those were the classes of persons held up to obloquy, and were told that they must reduce their rents. For himself, he believed if these prices continued, that they must all reduce their rents. He needn't reduce his in Ireland, certainly. It was his full intention to make next year to his property-tax assessment a return of *nil;* for he assured their Lordships that for the last eighteen months he had not drawn from his property in Ireland one single shilling — not one single shilling had he had remitted him from that property, although he had for a long time past been laying out about one-third of the yearly rental upon the property, and there was not, he believed, a more contented tenantry in Ireland. He had nevertheless at this moment upwards of one-fourth of his land thrown upon his hands, because, owing to present depressed prices, he could not find a tenant to occupy it. This was far from being an extreme case, and this was land so good that he had grown upon it the other day at the rate of 26 tons of turnips to the statute acre. Now, he asked them, was it unreasonable when that was the state of things—when the poor-rates were ranging at from 6*s.* up to 18*s.* and 19*s.* in the pound—was it unreasonable, when estates were brought to the market in Ireland in such profusion as to render the chance of purchasers very inconsiderable—was it unreasonable, while estates could be shown highly improved which could not find tenants to occupy them, in consequence of the grievous burdens that were imposed upon them, and the unremunerative price for their produce—was it unreasonable if under these circumstances—more exaggerated undoubtedly at present in Ireland than in England, though that was a state of things to which, if they were not careful in their legislation we should fast approach in this more favoured island—was it unreasonable, if in this state of things, that on behalf of themselves, on behalf of their tenants, on behalf of that large population, whom if they could help it they would not turn out of doors to starve, but with whom they would share the price and the produce, of the soil—was it unreasonable if on their behalf they were not satisfied with the expression that Her Majesty had observed with great regret the complaints which in many parts of the kingdom had proceeded from the owners and occupiers of land? It was with regret that he assented to the Amendment that had been proposed by his noble Friend. He could not rest satisfied with the language of the Queen's Speech, and must, therefore, give his cordial support to the moderate and temperate Amendment moved in the moderate and temperate address of his noble Friend. He was not asking their Lordships to retrace their steps. He retained his own opinion. He believed a system of moderate protective duties would be for the advantage of all classes. But what his noble Friend desired their Lordships to observe was, that in many parts of the united kingdom various classes of Her Majesty's subjects connected with the cultivation of the soil were labouring under severe distress, mainly owing, in the opinion of those with whom he acted, to recent legislative enactments. He could not but attribute a large proportion of the distress prevailing in Ireland to that cause which had been mainly operative in England. It was equally indisputable that those local burdens which had been carefully investigated by a Committee of their Lordships' House, and which did press heavily on landed and real property, and that to the extent of not less than 12,000,000*l.*, might be borne by an interest favoured for national purposes. But whether the policy of the recent legislation were right or wrong, if they had caused the distress of that class by taking from it the peculiar benefits it had previously enjoyed, it was a matter of gross and flagrant injustice to continue on that class exclusively the burden they had exclusively borne, not for their own advantage, but for objects which involved the common interests of their common country. He and his friends had been invited to say what they desired to have. He made no secret of his own views. He believed a moderate protecting duty would be advantageous to the agriculture and to the revenue, while it would not be injurious to the consumer. He did not ask their Lordships to interrupt the progress of that great experiment which he feared was leading inevitably to the most serious consequences. He asked their Lordships, and he asked them with confidence, not to refuse their assent to the Amendment, which affirmed that there were two causes for the distress of the agricultural interest—causes with which it was the function of the Government to deal; and they were entitled to say that in one shape or other the Government was bound, at least, to take some steps for the relief of that distress.

The MARQUESS of LANSDOWNE was understood to say, that after the manner in which these questions had been discussed, and after the unanswerable objections stated to the Amendment by his noble Friend at the head of the Woods and Forests, he should not have thought it necessary to detain their Lordships; but after the speech of the noble Lord who had just sat down, he felt himself called upon not only to touch upon some questions which had been referred to in the course of the debate, but to apply himself to some of those topics to which the noble Lord had adverted, but which were not connected with the immediate subject under discussion. Noble Lords, he regretted to observe, conceived themselves under the necessity of moving Amendments; but while he cheerfully acknowledged the perfect right of noble Lords to give vent to their opinions, and to embody them in the form of an Amendment, he derived consolation from the reflection that, as affecting Her Majesty's Government and the policy they had pursued, there was out of the various topics touched on in Her Majesty's Speech only one on which noble Lords opposite had thought it necessary to make a substantive proposition. The noble Lord who had spoken last began by stating, that he saw with something like surprise that Her Majesty had been advised to say that she was at peace and amity with other nations. That was not the first occasion on which the noble Lord had dwelt on the Address to the Throne; but, with reference to the omission of any statement that Her Majesty had received friendly assurances from other Powers, was it to be supposed that when Parliament met, every foreign nation in the world was to come forward and express what were their feelings towards this country, in order that a paragraph to that effect might be inserted in the Queen's Speech? But he (the Marquess of Lansdowne) took upon himself to affirm that the statement thus made in Her Majesty's Speech was strictly correct; and, above all, he begged to say in reply to something like an insinuation or question on the part of the noble Lord with respect to Russia, that Her Majesty's Government was not only at peace but at amity with that great country. The passage in which reference was made to the question that had arisen between Turkey and the Imperial Government was alleged to be inconsistent. But where was the inconsistency? Did the noble Lord suppose that there was any, because the good offices both of this country and of France had been energetically employed with the determination to assist the Porte in the position in which that Government was placed, and to do that which the noble Lord, he thought, would agree with him in regarding as important for the peace and safety of Europe—namely, to maintain the honour and dignity of the Porte? The effect of that interposition was, that peace had been preserved, that the dignity of the Porte had been preserved, that the peace of Europe was not likely to be endangered, in consequence of these explanations thus conducted to a successful issue; and no noble Lord would venture to say the negotiations had been conducted in a manner to derogate from the interests or reflect discredit on the policy of the country. The noble Lord then went on to allude to that part of the Speech which referred to the alteration in the navigation laws. Now, without entering into any discussion on the necessity for the change which was made last Session, he would state that the reciprocity, to which the noble Lord attributed so great a value, had been attained in the short space of half a year to a far greater degree than the most sanguine hopes of Her Majesty's Government had led them to anticipate. That was the case with the United States of America, with Sweden, and in a great degree with Holland, though the negotiations with that country had not yet been completed. He would now say a few words with regard to the Amendment which had been proposed for adoption, though, even after the speech of the noble Lord, he was somewhat at a loss to know with what views it had been brought forward. Of course deep regret must be felt at the distress of any large portion of Her Majesty's subjects; but when the noble Lord, not content with saying that this distress was felt by the owners and occupiers of land, went on to allege that it was shared by the agricultural community at large, he would meet the noble Lord with the assertion that throughout England the condition of the labourer was better than it had been. First of all he would refer to the poor. His noble Friend the First Commissioner of Woods and Forests had cited a return, showing that there was a smaller number of ablebodied paupers on the 1st of January, 1850, than there was on the corresponding day in 1849. It had been objected that this return only related to one day; but if any other day had been taken, it would have been just the same. He could assert, from his own personal knowledge, that in his own neighbourhood the number of poor receiving parochial relief had very much diminished, and in parts of Sussex also it had been greatly reduced. Since he had come into the House, also, he had been informed, that in the union of Henley, where, above all others, the condition of the labourer was stated to be so bad, the number of able-bodied paupers was diminished. The number of persons relieved in that union was 28,327 in 1848, against 19,312 in 1849, showing a diminution of several thousands. Nearly 300,000 less had been spent in 1849 than had been expended in 1848 to maintain the poor. But was this the only test of the state of the labouring population? If the labourer were really so badly off, would not his condition show itself in a diminished consumption? Now, it was a fact that almost every article that constituted a labourer's luxury had been consumed to a greater extent in the last than in the preceding year. The noble Lord would hardly deny that tea was a luxury to the labourer. Last year there was an increase in the consumption of tea to the amount of 3,000,000 lbs.; and with the exception of coffee, which was balanced by an increase of cocoa, there was an increase in all other articles of general consumption by the labourer. He would venture to say that not only was consumption increasing, but would increase. The noble Lord opposite had adverted to the increase of commerce, and had treated that circumstance with something like contempt, as having no sort of bearing upon the landed interest. It was the glory of this country that its commerce could not increase without ultimately benefiting the proprietors of land. During the last year the increase in the amount of exports had been not less than 10,000,000*l.* It had been said that a great portion of the exports had been sent to India; but a great part also was sent to the United States; and could it be contended that the landed proprietor was not benefited by that portion of the export trade? It had also been urged in the course of the debate that this increased amount of exports had been counteracted, as affecting the interests of the landed proprietors, by the immense importation of corn which had taken place. He would not dispute the fact that the importation of corn had been very large; but he saw no reason to expect that this importation would be likely to continue upon so large a scale. From information which he had recently received, he believed that there was every probability that the importation had reached its maximum, and was at present very greatly reduced. In the last three months of the year ending January 5, 1849, the quantity of corn imported was 1,438,000 quarters; while in the three months ending January 5, 1850, the amount had been reduced to 845,000 quarters. But this was not all; he had received an account of the quantity of corn imported during the first four weeks of the month of January of the present year, which amounted to 336,890 quarters, while in the corresponding period of the last year the quantity imported was 1,108,650 quarters. So that this importation of foreign corn, against which the farmers were told it would be in vain for them to struggle, was reduced in the proportion of about one-fourth of its former amount. Some allusion had been made to the state of France, but there could not be a more instructive picture than that which the noble Lord (Lord Stanley) had drawn of protected France and unprotected England. The noble Lord said that a great part of this distress in France was owing to the parcelling and extreme subdivision of the land. But that existed long before these extensive importations had taken place. The noble Earl who moved the Amendment referred to former periods, which he described as times of happiness to the labouring classes of the community, under a state of protection of corn laws and of the sliding scale, of which he avowed himself to be still the advocate. One of the years to which the noble Earl referred was 1833. He would quote from a most authentic document the state of England and the landed interest at this period, when protected by the sliding scale. It was the report of a Committee which was composed of the greatest authorities on both sides of the House. After referring to the report of a former Committee of 1821, the Committee expressed a hope that the great body of the occupiers of the soil in this country possessed a power which would enable them to surmount the difficulties under which they laboured; and they then go on to say that they were bound to state that a great many of the difficulties remained unchanged—that the savings of a great number of the occupiers were gone, their credit was diminished, and their resources generally exhausted. This opinion, they stated, was formed not upon the evidence of the ratepayers, but of many of the most respectable gentlemen, as well owners of land as occupiers, surveyors, and land agents. What worse description could the noble Lord give of the state of agriculture and the owners and occupiers of land at the present day? Could he describe them in more simple or more emphatic terms than "that their savings were gone, their credit had failed, and that their resources were exhausted!" And this, too, was under a scheme which he thought so good, that he refused to take an 8*s.* permanent duty in lieu thereof, believing that the country could only be saved by the aid of that defensive system, with this panoply—this fortification of a sliding scale, which exhausted the resources, took away the savings, and diminished the capital of the country. The condition of the agricultural labourer had, therefore, been at various times equally as bad as it is at present; and therefore it was that he hoped noble Lords and hon. Gentlemen who were in the habit of addressing public meetings upon this subject would cease to hold delusive language to the farmers, and forbear to tell them that their resource was only in those protective laws. They deceived the farmers when they held out such delusive hopes to them, instead of telling them fairly that they were not the only body in England who had to compete with the foreigner, and bidding them look to the woollen and silk manufacturers, who were successfully competing with the foreigner, and bidding them "go and do likewise." Instead of adopting this course with the farmer, they deceived him by telling him to go to Parliament, and that Parliament would relieve him. And what, after all, was the relief proposed to be obtained from Parliament? Was it a recourse to a system of fixed duty? If a farmer addressed at one of these public meetings was told that by going to Parliament he could obtain relief and security—if he had the intelligence of a British farmer, and would come and look over the Amendment of the noble Earl, he would ask, what is the relief you promised us? You have nothing here but mere general statements. What do you propose to do? He (the Marquess of Lansdowne) understood that the noble Duke was prepared, if the Amendment was carried, to follow it up by some other resolutions in favour of a return to the old system of protection—

The DUKE of RICHMOND: I am prepared, if this Amendment is carried, to get rid of the present Government; and I have every hope that the Members of a new House of Commons will give their protection to all the domestic interests of this country.

The MARQUESS of LANSDOWNE thanked his noble Friend for stating so explicitly his intentions. It was now clear, that what was intended was to get rid of the present Government, and then to call together a new House of Commons to re-enact the old corn laws. He would be as frank with the noble Duke as he had been with him. There was a time when he considered that a fixed duty was the best mode of meeting the necessity which existed for a great and radical change in the system of the corn laws. That proposition was made, and by the noble Lords opposite it was resisted. It was resisted by them successfully, and the rejection of that proposition placed the country in a situation which compelled it to determine between the sliding scale and no corn duty at all. Whether the farmer was now, upon reflection, grateful to the noble Lords opposite for having saved him from the fixed duty, he did not know; but, at all events, the farmer was so saved by their exertions, and Parliament having once decided between the tee-total repeal of the corn laws and the sliding scale, and that having been decided by large majorities, he (the Marquess of Lansdowne) for one—though the noble Lord might be ready for the conflict—was not prepared to engage in that conflict of interests which would ensue if that proposition were now to be carried. He would not be responsible for it. Noble Lords had a right to take the sense of the House upon the subject, and he was glad that they were prepared to take it with the explanation so distinctly stated by the noble Duke. He did not entertain that low opinion of the English farmer which some of those who professed to call themselves his friends appeared to entertain, that he alone who was engaged in the manufacture of the land, was unable to compete with the manufacturers of other countries. He was not speaking lightly when he said that, although the farmers might be rather slower than the manufacturers in embracing improved methods, and in making new exertions, still they did not want the energy which was indispensable to success. Their Lordships would recollect, that from one end of the country to the other, all protection had been substantially done away with. Take the case of silk, for instance. Since the amount of protection was diminished, the exportation had been steadily increasing. During the last year, the quantity of silk exported had increased from 605,963 pounds to 1,231,835 pounds, while the increase in the declared value had been from 466,000*l.* to 805,000*l.*, or nearly double in amount. And a great quantity of this silk was exported to the countries from whence the raw material was imported into this country. Was not this a proof of the injuriousness of the protective duties? Again, in the article of copper, the same results had been obtained from a reduction of the duty. The poor-rates of the county of Cornwall had not been so low for some years as they were at present, owing to the great increase of employment given to the people in connexion with the manufacture of copper. With respect to the public meetings to which he had referred, he had seen and heard enough of them to know that those who addressed them did so not with a view of discussing great questions of principle, but of inflaming the minds and exciting the passions of one part of the country against the other. He (the Marquess of Lansdowne) was not prepared to go back on their past policy; he was not prepared to hold out what he believed to be a delusion. He objected to the Amendment of the noble Lord, which was calculated, if carried, to give rise to general uncertainty and confusion. The way to test the question was to appeal to the energies that distinguish the British character, and which were not confined to one class alone, but extended to every class—energies which at the present moment were exhibiting themselves notwithstanding the change in the navigation laws, for in spite of the predictions in that House, and the declarations of persons interested, or supposed to be interested, in that subject, there was scarcely a port in England at that moment in which shipbuilding was carried on, in which there were not more ships building than at any former time; and at that port which was the emporium of the trade, the port of Sunderland, there was an enormous quantity of shipping laid down. Not only were vessels laid down there of a general description, but also of that particular description, from their size, build, and tonnage, that were destined for foreign voyages, though the foreign voyage was the general question on which noble Lords dwelt during the discussion of the measure, and declared that that was a description of competition in which they would utterly fail. With such an example of what energy could do before him, he could not accede to the proposition of the noble Earl; and he trusted that spirit and energy would redound, not only to the honour, but likewise to the permanent prosperity of the country.

The Duke of BEAUFORT said, that a doubt having been expressed as to their being distress amongst the agricultural labourers, he could only state, in spite of the figures referred to by the noble Marquess, that such distress did exist. When he saw repeatedly at the sessions and other meetings bodies of labourers coming and begging for work and wages, and stating that they could not get one or the other, he could not but believe there was considerable distress. With regard to the statement made as to the decrease in pauperism, there was no doubt of what his noble Friend (the Duke of Richmond) stated, as to the practice resorted to of giving labourers 3*s*. or 4*s*. for working two or three days, to keep them out of the workhouse.

Earl GREY wished to say a single word in reference to a statement made by a noble Lord opposite (Lord Stanley). The noble Lord had said that he (Earl Grey) made use of a certain observation on the debate of the corn laws; but the noble Lord had quoted inaccurately what he did say. The noble Lord represented him to say that after the repeal of the corn laws he would increase his rent; but he never did say any such thing: what he did say was, that the repeal of the corn laws would increase the value of his property. Noble Lords generally could not attempt to deny the improved state of the country, and its advance, in spite of the difficulties of the last three years, in the career of prosperity; and no one could entertain any doubt whatever that at no distant time the land, like other interests, would share in those benefits. As the noble Lord had referred to his (Earl Grey's) private affairs, he would only say that nothing had occurred within his own personal experience in the slightest degree inconsistent with the public experience, or the expectations that were entertained.

On Question, whether the said words should be there inserted?

House divided:—Contents, Present, 69; Proxies, 34: Total, 103. Not-Contents, Present, 86; Proxies, 66: Total, 152:—Majority 49.

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Down
Hereford
Limerick
Norwich
St. David's
Worcester.

BARONS.

Alvanley
Ashburton
Auckland
Beaumont
Byron
Camoys
Campbell
Carrington
Colborne
Crewe
De Mauley
Dormer
Dufferin
Eddisbury
Elphinstone
Erskine
Foley
Hatherton
Howden
Keane
Lilford
Methuen
Milford
Monteagle
Portman
Rossmore
Say and Sele
Sudeley
Suffield
Vaux
Wodehouse
Wrottesley.

Proxies.

Archbishop of York.

DUKES.

Brandon
Grafton
Leinster
Somerset
Sutherland.

MARQUESSES.

Headfort
Londonderry
Normanby
Westminster.

EARLS.

Camperdown
Clarendon
Cork
Cornwallis
Derby
Ducie
Effingham
Fingall
Fortescue
Gainsborough
Gosford
Haddington
Kingston
Leicester
Meath
Oxford
Radnor
Ripon
Rosebery
Scarborough
Shrewsbury
Suffolk
Uxbridge
Wicklow

VISCOUNTS.

Bolingbroke
Falkland
Ponsonby.

BISHOPS.

Durham
Manchester.

BARONS.

Abercromby
Carew
Cloncurry
Dacre
Dartry
Denman
Dinorben
Dorchester
Dunally
Dunfermline
Glenelg
Godolphin
Holland
Howard de Walden
Kinnaird
Leigh
Lovat
Montford
Monson
Mostyn
Oriel
Stafford
Stanley of Alderley
Stuart de Decies
Stourton
Vernon
Wenlock
Wharncliffe.

Then the original Motion was agreed to; and a Committee appointed to prepare the Address. Then the Committee withdrew; after some time, report was made of an Address drawn by them, which being read, was agreed to, and ordered to be presented to Her Majesty by the Lords with white staves.

House adjourned to Monday next.

HOUSE OF COMMONS,

Thursday, January 31, 1850.

MINUTES.] NEW WRITS.—For Kidderminster *v.* Richard Godson, Esq., deceased.—Surrey (Western Division), *v.* William Joseph Denison, Esq., deceased.—Cork *v.* Daniel Callaghan, Esq., deceased.—New Shoreham *v.* Charles Goring, Esq., deceased.

NEW MEMBERS SWORN.—For Boston, Honourable Dudley Anderson Pelham.—For Surrey (Western Division), William John Evelyn, Esq.—For Reading, John Frederick Stanford, Esq.—For Kidderminster, John Best, Esq. —For New Shoreham, Lord Alexander Francis Charles Gordon Lennox.—For Cork, Colonel James Charles Chatterton.

PUBLIC BILLS.—Outlawries Bill.

The House met at Two o'clock.

Message to attend the Lords Commissioners;—The House went;—and being returned,

MR. SPEAKER acquainted the House that he had issued warrants for *New Writs* for several places. (*See Minutes.*)

OPERATIONS IN THE PUNJAB.

MR. SPEAKER acquainted the House, that he had received from Major General Thackwell the following letter in return to the Thanks of this House, communicated to him in obedience to their commands of the 24th day of April last:—

"Meerut, 27th Sept. 1849.

"Sir—I have had the honour to receive from the Most Noble the Governor General of India, a printed Resolution of the House of Commons, of the 24th of April, 1849, conveying the Thanks of the House for the Victories in the Punjab; and, as a Major General therein named, I had the honour to offer my best acknowledgments to the Most Noble the Governor General for the same, and I now have the honour of expressing to the House of Commons my grateful thanks for such a distinguished mark of their approbation.—I have the honour to be, Sir, your most obedient, humble servant, "JOS. THACKWELL,

"Major General, late Commanding the Cavalry of the Army of the Punjab.

"The Right Honourable the Speaker
of the House of Commons, London."

ADDRESS IN ANSWER TO THE SPEECH.

MR. SPEAKER having read a copy of Her Majesty's Speech,

MR. C. P. VILLIERS: I rise, Sir, to move that an humble Address be presented to Her Majesty in reply to the gracious Speech which has been just read to this House. In doing so, I can assure the House that I am fully impressed with my own incompetency duly to discharge this task; and I am sure that no person that has preceded me in this position has ever felt more in need of the forbearance of the House. Indeed, Sir, but for the circumstance that there appears upon all sides a disposition to refer the present condition of the country to those recent changes in our commercial policy which have undergone such frequent discussion in this House, and in which I have borne my humble share, I should have deemed myself the least appropriate person to have been selected for this purpose. However, Sir, I do most certainly agree in the view which I know that Her Majesty's Ministers take of the condition of the people; and, having the most implicit reliance that my noble Friend at the head of the Government will not compromise—that he will not in any way surrender, but that he will maintain entire—those measures which he conceives to be connected with the happiness and well-being of the people, I have no scruple, in other respects, to ask the House to respond to the Speech which has just been read. And, first, Sir, I will advert to those topics in Her Majesty's Speech, which I am sure will unite the feelings of the House. It has been communicated to this House the deep affliction which Her Majesty has experienced from the death of Her illustrious relative the late Queen Dowager; and I think I should only be correctly representing the opinion of the country if I were to say, with regard to her late Majesty, that her blameless life, her unostentatious character, and her numerous charities, as well as the exemplary manner in which she filled the duties of her exalted station, have secured for her memory a feeling of deep respect among the people at large; and the House, will, I am sure, not hesitate to concur in the expression of cordial condolence and sympathy with Her Majesty for the bereavement she has endured. It is stated in Her Majesty's Speech, and the statement is one which this House always receives with the greatest satisfaction, that "Her Majesty happily continues in peace and amity with foreign Powers." It is further announced that Her Majesty has, in conjunction with France, and by means of a friendly mediation, prevented hostilities from "occurring between the Governments of Austria and Russia on the one hand, and the Sublime Porte on the other." The causes of this apprehended rupture are indicated in the Royal Speech, arising, as it seems, from certain persons, subjects of Russia and Austria, having sought refuge and protection in the territories of the Sultan, and a claim having been made by the Emperors of Russia and of Austria, based on treaties of ancient date, that those persons should be surrendered, in order that they might be punished according to the offence with which they were charged. Sir, a doubt having arisen upon the part of the Sultan as to the correctness of the construction of those treaties upon which this claim was made, the Sultan referred to the Governments of England and France to aid him in the solution of his doubts. I believe it is a matter now known, that the Governments of France and England adopted the construction put upon the treaties by the Sultan, that construction being unfavourable to the surrender of those persons; and which construction having been allowed to be just, the final arrangements with regard to the persons who had sought refuge in the dominions of the Sultan were in accordance with the propositions that had emanated from the Sultan. The result, therefore, of Her Majesty's mediation, in conjunction with France, has been to prevent hostilities occurring between the Imperial Governments and the Sultan, involving, perhaps, the peace of Europe; and that friendly relations have been, or are about to be, resumed between those Governments and the Porte. Sir, I believe there never was a time when the interference of this country with the affairs of foreign countries in which we are not directly concerned, was regarded with more objection than at present; but I think that with regard to such intervention a great distinction must be taken with regard to its character, for there is a great difference between an interference which has for its purpose to dictate to a people the form of government under which they shall live, or to contribute force to a Government to resist its people, which it would be otherwise unable to do, and that kind of intervention which assumes the form of friendly mediation, which has in view the cause of peace and humanity and the prevention of hostilities, the issue of which might be dangerous to ourselves. I conceive, in this latter case, that interference is not only justifiable, but politic;

and I think it is one of the best consequences of the position we now hold in the opinion of the world, that, when we do intervene in the cause of peace and humanity, we can do so with effect. I refer to the position we now hold in the opinion of the world, because it is with satisfaction that I consider this country has seldom been looked upon with more trust and respect than it is at present; and which I am disposed to explain by the true character of the people of this country being better understood by the world. I believe other countries are perfectly satisfied that the people of this country have no other object but to maintain peace with the whole world: that they have neither a wish to aggrandise themselves, or to take political advantage at the expense of any other country; whilst, as regards power, that they are perfectly satisfied with the vast results of their own peaceful pursuits. And though doubtless we must always sympathise with those people who, following in our footsteps, are struggling to obtain their liberties, yet I believe there is no way in which we can aid those people so well, or influence other Governments so much, as by pointing to our own example, which shows that the greatest amount of liberty enjoyed by any people upon the earth is consistent with peace, with order, and the acquisition of vast wealth; showing to the people what is to be gained by firmness and moderation; and to Governments what is to be averted by timely concession to the people. Her Majesty has announced in Her Speech that She has been engaged in communication with different Powers for the purpose of making arrangements consequent upon those changes which we effected last year in the laws for regulating our navigation; it has been also announced that Her Majesty is negotiating at this moment with other States, who have intimated their readiness to reciprocate the advantages which, by those changes, have been extended to them; and it has been further announced that already the United States and Sweden have reciprocated to us every advantage which we have offered to them by the recent abolition of our navigation laws. It is rather early, perhaps, to express any opinion of what will be the general result of the change which has been adopted in this part of our commercial system; but there is at present every prospect, so far as one can see, of all similar restrictions to the intercourse of nations, originating as they did, at a time far less enlightened than the present, and continued far too long, for the convenience of the world as it is, being swept away. It is gratifying to observe that all the apprehensions which were expressed upon the part of those who resisted that change here, appear to have been unfounded. It has been seldom we have seen so much sentiment and feeling mixed up with private and pecuniary interest as was evinced upon the question of the abolition of our navigation laws; and I think it has been rarely that the mischiefs and evils of an old system, and the advantages of a change, have been so quickly and clearly brought into view. There is every prospect of the predictions that were made by the advocates of the navigation laws, and their alarms also, proving unfounded; and there is every promise of what was prophesied and expected, as to the advantages of the change, being realised. Perhaps the interest that was most affected by the change, has not been for some years in such a state of activity as it is at this moment. There is general activity in the dockyards of this country. Whether in the Tyne or the Thames, the Wear or the Clyde, the same account is given that the business of shipbuilding never presented a more cheering prospect. I should also mention that some of the persons who were most prominent in predicting evil consequences from the change, are amongst the most busy now, thus showing little faith in the statements they made themselves, and justifying us in the discredit we cast upon them. It is further disclosed, what was perhaps not known before, that we have advantages in building ships that are possessed by hardly any other country; and so far from that interest being likely to suffer by the alteration, we find they can not only build ships at home cheaper than they can be built in other countries, but, what is still more satisfactory, we find that other countries can build their ships cheaper here than they can in their own yards. It does appear also that, whatever advantage we supposed was possessed by other countries over us, resulted from the system which existed in this country; and that, in consequence of the change, we have adopted that system with respect to the structure of our vessels and to secure better character morally, and with regard to knowledge of their business, among our masters and mates, that is likely to qualify us to maintain competition with the ships of any country in the world. I do not intend to weary the House with many details on this matter, but I cannot help reading one letter that I have received from Liverpool on this subject, and the character of the writer may be deemed of sufficient authority. The writer said—

> "As regards shipping, there is a much better feeling since it was ascertained that the navigation laws were irretrievably doomed; builders are well employed, new contracts are making freely, both at home and in the colonies, and first-class British-built ships are readily taken up as they arrive. In fact, the supply of 12-year ships fall short of the demand, and advanced rates have been paid in some cases for homeward freight. There are now building on the stocks 2,850 tons, against 2,229 in 1849. Some British ships have been taken up in the Mediterranean and elsewhere, and loaded for the States, and a few foreigners to load for England—the first fruits of reciprocity. I enclose some of the shipping circulars, particularly pointing attention to that of Thom, Currie, and Co., from the importance of that firm."

The hon. Gentleman then read a passage from this circular, to the effect that

> —"the prospect of the sweeping measure for the repeal of the navigation laws was accompanied with doubts and anxieties that had had the effect of checking the operations even of the most enterprising; but so soon as it was decided that the old laws were doomed, increased energy evinced itself; 'the native hue of resolution,' which had been 'sicklied o'er with the pale cast of thought,' again appeared, and in the assurance that the position of the shipowner would not be further compromised, buyers and builders resolved at once to be up and doing."

I have also got a return from the port of Sunderland, and I find that of the vessels building in the port of Sunderland on the 31st of December, 1847, the amount of tonnage was 22,140, and on the 31st of December, 1849, the navigation laws having then been doomed for six months before, it was 29,210. Of ships sold, there were 16 in December, 1847, and in December, 1849, 24. The number built in December, 1848, when there seemed some doubt as to the navigation laws being abolished, was 142, of 37,878 tons, and in December, 1849, 155 of 44,333. I might go further into detail on the subject of the navigation laws, to show that I am right in congratulating the House on the change that has been made; but knowing that there are some Members more perfectly informed on this subject who are likely to afford the House further evidence, I will not longer detain its attention on this topic. I cannot, however, help repeating, that after six months' experience of the certainty of the change, that everything foretold by the opponents of the change has hitherto been falsified, and that everything which was promised by its advocates is likely to be realised. Sir, the Speech has communicated to the House the satisfaction which Her Majesty derived from her recent visit to Ireland. That Her Majesty's reception in that country should have been marked by every indication of attachment and loyalty, I believe occasioned no surprise to those who were best acquainted with the feelings of that people. The people of Ireland, often complaining of this country, and sometimes with reason, have seldom been wanting in respect for the Crown. They cheerfully acknowledge the legitimate right of Her Majesty to the dominion of that country; while of Her Majesty personally they only knew that from the time of Her accession She has manifested a marked interest in their welfare, desiring that all reason for complaint should be removed, and anxious that justice and favour should be dispensed alike in each portion of Her kingdom. It was, moreover, supposed that Her Majesty had long wished personally to visit that country. With these prepossessions with regard to Her Majesty, it was not surprising that among a people of their generous nature, Her arrival among them should have been welcomed with delight. Having been present in the capital myself, when Her Majesty was there, I am bound to say, that I never saw so vast a concourse of people congregated together, who demeaned themselves with so much order, respectfulness, and propriety. People from all quarters of the country, and of all opinions, assembled there on the occasion; and, without yielding to any extravagance of feeling or losing their self-respect, they seemed to have come there for the common object of manifesting respect for the person and character of Her Majesty. From information I have received, I do not think that anything has occurred amongst the people at large in that country, since Her Majesty's departure, to shake those feelings of attachment and loyalty which were evinced in Her presence; and I do believe that in no way could Her Majesty confer more satisfaction upon that people than by intimating an intention of revisiting that country. We are reminded by Her Majesty's Speech that there is still great distress in that country, and vestiges yet exist of the awful calamity with which it was visited. Indeed it is impossible for those who know the extent of distress which the famine occasioned, to suppose that at so early a period all traces of its effects should have disappeared; but it is gratifying to think that in many respects the poor of that country are improving in their condition, and that, owing to the abundance of the necessaries of life, the amount of suffering is less. This is not only indicated by the less frequent resort to public relief, but there are signs of greater contentment, and evidence of less crime and outrage being committed. It is matter of satisfaction, considering the apprehensions that were expressed with reference to the extent and mode of the relief which was afforded in Ireland, it should not have realised the fears of those who were opposed to it. It was imagined that if relief was once given out of the workhouse to the Irish people, they would become generally demoralised, and there would be a habit of dependence on public charity which nothing could check. It is satisfactory to observe that, as soon as the necessaries of life become more reasonable in price, and that more means of employment prevailed, that outdoor relief very greatly diminished. At the commencement of 1849, we find that the indoor relief included 206,254 persons, and in 1850 it is reduced to 204,407. The amount of the outdoor relief on the 1st of January, 1849, was 479,576; and on the 1st of January, 1850, it was reduced to 104,650. The decrease, therefore, of indoor relief was 1,760, and of outdoor relief 364,926. As far as we can ascertain the prospects of the operation of the poor-law, it appears that the administration of the system becomes more simplified, and the means of preventing imposture and the exhaustion of the resources of the country more certain. There is a most striking evidence of this by the increased workhouse accommodation provided in the country during last year, showing that that which is considered in this country a sufficient test of imposture, is likely to be applied there generally and with effect. The workhouse accommodation on the 6th January, 1849, was for 290,720; on the 5th January, 1850, for 251,717. I stated that there was a diminution of crime in Ireland, consequent on the improved condition of the people. I find, by a return of the number of outrages reported by the constabulary in 1847 and 1849, that the number of cases of cattle and sheep stealing which occurred in 1847 was 10,044; in 1849, 8,157; of other outrages, the number in 1847 was 10,142; in 1849, 6,749; the total of offences being for 1847, 20,986; for 1849, 14,906. The total number of animals stolen was, in 1847, 15,291, and in 1849, 13,631. I come now to an announcement in Her Majesty's Speech which I am sure will be most gratifying to the House—I allude to the reference that is there made to the condition of manufactures and commerce in this country, as well as the condition of the people generally. Her Majesty is happy to congratulate the House that the state of the manufactures and commerce of the country has greatly improved, and that the condition of the people is very much better than it has been, in consequence of the easier access to the necessaries and comforts of life. This, Sir, is a most important fact — important at any time to those who are aware of the vast consequences that are involved in this consideration, affecting as it does our whole social, political, and financial condition. But though an official announcement of this fact has been waited and watched for with great interest in this country, I believe there never was a time when attention and interest were more directed to that subject out of this country than at this time. Everybody is wanting to learn the present condition of England. The whole commercial world consider that we have lately made a great and momentous experiment on our industrial and commercial interests, and are waiting the result. This announcement, therefore, contained in the Speech, has a peculiar importance. The fact is, that the nations of the earth are beginning, notwithstanding the sneers sometimes cast upon the subject, to direct their attention to political economy. There never was a time when nations were more desirous of acquiring wealth, or when the people complained more of its distribution, than they do now; and the problem that is now seeking a solution, is, in what way nations can accumulate the greatest possible amount of wealth consistently with the fairest distribution of it. I do not dispute that there are two systems totally opposed to each other, each of which has professed to accomplish this object. The one consists in regulating and restricting the trade of this country by the State, and maintaining particular industries and interests that are unable to maintain themselves—this is called the protective system. The other is to leave to the unfettered intelligence and energy, almost the instinct, of a free and civilised people, the discovery of the means by which they can obtain the highest possible reward for their capital, skill, and industry—that is called the free-trade system. What excites the curiosity and interest of the world is, that regarding us, as it does, at the head of all other commercial nations, we have been seen for years past to act on the protective system, and that recently we have abandoned it, for that of free trade. This interest has also been much enhanced by the very confident predictions that were made here and elsewhere as to the disastrous effects that must follow from the change. In this country the great issue upon the protective and free-trade system has been taken on the free introduction of food into this country. Upon this subject there are recorded some most positive prophecies and warnings; and I have no doubt that there are many persons who have been shaken in their faith in what they thought to be a sound principle, by the confidence with which persons of authority and station in this country have spoken as to the results of that experiment. But the importance of the announcement made in Her Majesty's Speech is, that it enables us now to know the results of the change. Certainly, it may be said that the time is rather short to judge of the result of any experiment after the trial of only one year; but if those predictions of evil had been in any measure justified, I think the time has arrived when we should have at least some intimation of the evils that were likely to follow. Now, amongst the objections urged by those who opposed a free trade in corn, the House is, I am sure, very familiar with the following: first, that it would greatly impair the home trade; second, that the condition of the working classes would be greatly deteriorated; third, that the currency must be exported to pay for it; and, fourth, that the revenue would decline. Now, it was said on the other side, that inasmuch as food was the basis upon which all human industry proceeded, that according to its supply—whether scanty, or adequate, or abundant—so would be the means of the community available for the production, distribution, or consumption of all other articles; and that an objection founded on the evils of having more food instead of less, was fallacious; and that as trade only consisted in the exchange and distribution of articles required for human use, or as such articles would be demanded in proportion as the first necessary of life was procured with more or less facility, so must trade be always better when food was plentiful and cheap; and, lastly, it was said that, inasmuch as with our system of taxation, revenue depended more upon expenditure than on income, so would that be greater, and not less, as general consumption was increased. Abundance of food, therefore, said we, must always be a cause of prosperity in such a country as this. These were the arguments put forward for and against that system. Now, I want the House, the country, and the world at large, to judge between us; and I want the world to decide at present by examining the results. And what are the results? We have heard something of them from private sources, but this is the first occasion on which any official announcement as to the state of the country has been made. We are told that commerce and manufactures are thriving, and the condition of the people greatly improved from having fuller command of the necessaries of life. The evils denounced as about to overtake us were to be in proportion to the quantity of commodities, especially food, that were to be imported. Now it was certainly beyond my expectation, that we should so soon have an opportunity of putting this matter to the test. For what am I now in a position to state to the House? Why, that within the last sixteen months we have imported more food than we imported during sixteen years before. Now, if any of the threatened consequences were necessarily to follow from the adoption of free trade in food, surely there would have been some indication of them at present, for no party imagined so soon that the imports of grain would have been so large: nothing approaching to it, indeed, has, I believe, ever occurred in the history of this country, for we have been importing at the rate of 1,000,000 quarters a month. And my honest conviction at this moment is, that not a single thing that was feared by the opponents of free trade has come true, or has the slightest prospect of coming true; whilst the advantages expected by the free-traders have already been felt. The home trade has improved; the condition of the working classes has been ameliorated; not a sovereign has left the country—for there is as much gold as the hon. Member for Warwickshire could wish; while, as we shall be informed by my right hon. Friend the Chancellor of the Exchequer, the revenue is improving. I am in possession of letters, circulars, and documents coming from every part of the country, in which the writers not only admit—a very rare thing with the people of this country—that they are well off, and their condition improved; but ascribe it chiefly to the cheapness and abundance of the necessaries of life. With respect to the home trade, I really had some doubts whether the improvement would be so soon evinced; but only this day I had a letter from the north of England describing the state of the manufacturing interests in a place chiefly concerned in supplying the interior of the country — Bradford and its vicinity :—

"Bradford, Jan. 28th, 1850.

"My dear Sir—In reply to your esteemed favour I beg to say that I have taken considerable pains in obtaining information as to the condition of the working classes in this town and neighbourhood, also as to the rate of wages, and the general state of trade. In all these respects a constant, steady, and great improvement has taken place during the last twelve or eighteen months. The exports to the United States have increased—the demand for the Continent has revived with the more general return of tranquillity, and with regard to the home trade, while a very large increase has taken place in the demand for our goods in the manufacturing districts, the experience of our firm would not lead us to the conclusion that there has been in 1849, as compared with 1848, any diminution in the demand for Bradford goods in the agricultural districts, but quite the contrary. The result has been that new machinery has been so much in demand as to have risen greatly in value ; the amount paid for the relief of the poor is not much more than half of what it was two years ago ; hands have been so scarce during the whole of 1849 that repeated advances in wages have been given, and I feel justified in stating that owing to the high rate of wages and the low prices of clothing and of food, the working classes as a body were never so well off in this district as at present. These remarks apply to Bradford, Thornton, Shipley, Bingley, Keighly, and the intermediate district. I annex a statement of the number receiving relief from the poor-rates, and the amount paid in Nov. 1848 and in Nov. 1849 in Bradford."

Another letter was from Leicester, where there had been a good deal of agitation on the subject of free trade, and apprehension that the country would be ruined in consequence, and written by a person whose authority and station in that town place his statements beyond question for accuracy :—

"Leicester, Jan. 26th, 1850.

"Dear Sir—The great staple trade of this district, the Leicester and Leicestershire stocking trade, is one of the best indexes that can be found of the condition of the working classes throughout the country ; three-fifths of the whole frame machinery of the town and county is employed in the manufacture of wrought and cut worsted, woollen, cotton, and merino stockings, four-fifths or nine-tenths of which are consumed in the home-market, and principally by the operative classes. Dear food, want of employment, and its depressing consequences have been for many years so long co-existent in this locality, while on the other hand full employment and increased comforts have so uniformly coexisted with years of cheap food, that we are not at all surprised at the ease and comfort enjoyed by the working population amongst us during the last year, nor shall we be surprised at its permanent continuance.

"The demand for the last year has been fully equal to the manufacturing capability of the district—all the workmen have been fully employed, and two advances in wages have been established and maintained in the staple trade, of the permanence of which there is every indication—indeed from the inclosed printed notice, which has been issued by the workmen this week, it is possible that the spring will not have passed before a third advance will be established :—

"'Framework-Knitters.—At a general meeting of the straight-down hose branch (middle gauges), it was unanimously agreed that a request be made to the manufacturers for an advance of wages, viz. 2*d* per dozen up to 50 leads, and all above, 3*d*. A deputation is expected to wait upon them on Tuesday next, when the workmen hope they will accede to their request ; if not, the hands, it is said, will cease to work on the 11th of February.'—*Leicester Chronicle, Jan.* 26.

"The request of a further advance will in all probability be conceded at once to half the extent proposed (as there are no stocks of these goods on hand), and if so this will be an additional rise of about 5 per cent more.

"In the other departments of the Leicester and Leicestershire hosiery trade there has been similar activity—the underclothing manufacturers have had more orders than they could supply—an increased amount has been ordered for home consumption as well as for exportation, and in this department the wages of the workmen in the town of Leicester have experienced a considerable advance, having improved fully from 12½ to 17½ per cent. The wages in the various fancy hosiery articles, all being more highly skilled branches of the trade, are generally higher than the wages of the staple manufacture ; but as these departments are dependent upon fashion, novelty, and the taste of the higher classes, it is not necessary to go into detail further than to say that in every department of skilled labour there has been for the past year full employment.

"I assure you nothing has ever been so satisfactory to me as the realisation of the results to the working classes of corn-law repeal—to be responsible for the peace and order of a dense manufacturing population, as I have been twice, during the trying year of 1841, and the still more agitated and depressed one of 1848, is no light matter ; nor is it to be wondered at that unemployed, and (from want of employment) half-starved, men, should after a series of years of patient endurance, increase from hundreds to thousands the ranks of Communism, or evince a spirit of discontent dangerous to social security."

Another letter from the chairman of the

Leicester board of guardians, stated that the trade of the place had never been in a more prosperous condition. He states, that the population of the borough, which is a poor-law union within itself, is now about 60,000. The poor-rates in 1848 were 37,000; in 1849, 32,000. He says that—

> "During the current year of 1847-8, the working population were generally out of employment. The guardians had to provide a temporary union-house, and tests in two mills, and two large stone-yards, in which were nearly one thousand able-bodied men. Disturbances were frequent, and a serious riot took place in May, 1848. In the autumn of 1848, a change took place, and trade began to revive; the stone-yards were soon unoccupied, and the temporary house was relinquished.
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> "To-day I am informed by one of the relieving officers that there is but one ablebodied framework knitter on the mill, and he is there by an oversight, and will be dismissed this week, as there is plenty of work. The men now on the mill are chiefly outdoor labourers, prevented from working by the severe frost, and they are orderly and peaceable.
>
> "I have resided in Leicester twenty years, and I never knew it in so prosperous a condition as regards its general trade. The wages of the working men of the staple trade, for many years notoriously low, are advanced, and there is a prospect of further advances; and the cheapness of provisions, especially of bread, is regarded as an inestimable benefit.
>
> "May the same gracious Providence which has opened the way to the enjoyment of these blessings, preserve them for the benefit of generations yet toc ome!"

Sir, I merely give these as specimens of the evidence that may be collected in every part of the country, showing that the home trade, about which so much solicitude is expressed in this House, does not suffer. The comparative amount of bankruptcies alone is some indication of the state of trade. In 1848 it was 1,763; in 1849, 1,146, showing a decrease of 617. With respect to the condition of the working classes, the indications are of the most satisfactory description, and as they have a great many friends in this House, I am sure it will be a source of high gratification to them to hear it. Whether we look to the manufacturing or the agricultural class, it will be found that the one have higher wages, and the other can command a larger share of the comforts of life, and uniformly they are far better off than during the past year. I see the hon. Member for Warwickshire expresses some doubt; then let it be ascertained. An important indication on this matter is the amount of public relief given. My right hon. Friends the Chancellor of the Exchequer, or the Chief Commissioner of the Poor Laws, will be able, when they address the House, to inform it whether the poor-rate has increased, and more persons are now receiving public relief. In fact, I trust to the Chancellor of the Exchequer, who is so able and accurate in statements on these matters, to give details from official sources in support of what I have said. My own impression is, from the reports on the subject, that there is an extraordinary diminution of the number for the past year, as compared with that which preceded it, and a great reduction in the expense of supporting them. I believe that the number of persons receiving relief is between 50,000 and 60,000 less. With regard to the amount of bullion at present, I do not know the exact quantity, but I am informed that there never was a time in the history of the Bank of England at which it was greater. With regard to the revenue, there is actually an increase of 2,000,000*l.* in its amount. [The CHANCELLOR of the EXCHEQUER: A surplus.] Well, it comes to the same thing; a surplus then of income over expenditure, which we have not heard much of before this year. I have here a comparison of the commitments in the years 1848 and 1849—a subject which is generally admitted as showing the condition of the people at different periods. In 1848 I find that the number of persons committed to prison in England and Wales was 10,352, while in 1849 the number was 9,512. With respect to Ireland, the number of offences reported by the constabulary for the same period was 3,615 in 1848, and 2,501 in 1849; and as poverty and crime have always been justly reckoned as two of the consequences of a want of a sufficient supply of food which always go together, these results tend to confirm still further the view of the increased prosperity of the country which I have been taking. I am prepared also for the argument which I know will be used by hon. Gentlemen opposite, that though they must admit—for it cannot be disputed—that trade is good and flourishing, and the employment of the people general, still that all this results from other causes besides those to which I have attributed it, and that there are other ways by which the general prosperity may be accounted for. But I have here by me a calculation which I have made of what the country saves in the articles of food—of the difference which it makes to the country in paying for the necessary supply of food, when that food is cheap, and when it is dear. The people have to be fed, whatever the price of food in this country may be; and there is necessarily a certain expenditure required in order to obtain that food which varies according as food may be cheap or dear at different periods. Now what I want to show the House is, the enormous difference in the cost of supplying food to the country when food is cheap and when it is dear; and that when you hear of wages going farther, and the trade being better, at the time that food is cheap, that there is no difficulty in concluding that cheapness of food is the cause. I have here the average prices for the years 1847 and 1849 :—

	Average price year 1847.	Average price Dec. 29, 1849.	Difference.
Wheat	69*s.* 5*d.*	39*s.* 4*d.*	30*s.* 1*d.*
Barley	43*s.* 11*d.*	25*s.* 9*d.*	18*s.* 2*d.*
Oats	28*s.* 7*d.*	15*s.* 6*d.*	13*s.* 1*d.*
Beans	50*s.* 1*d.*	26*s.* 11*d.*	23*s.* 2*d.*
Peas	39*s.* 1*d.*	29*s.* 0*d.*	10*s.* 1*d.*

The following is the estimated consumption of all kinds of grain in this country:—

20,000,000	quarters wheat at 30*s.* ...	£30,000,000
20,000,000	,, oats at 13*s.* ...	13,000,000
20,000,000	,, barley, beans, and peas, 18*s.* ...	18,000,000
60,000,000		£61,000,000
Estimating the consumption of meat, butter, cheese, potatoes, and other vegetables, to be equal to the total consumption of grain, say 60,000,000 quarters, and estimating the reduction in price to be equal to 10*s.* per quarter, the reduction will amount to . . .		30,000,000
		£91,000,000

So that there remains on the expenditure of the people for food a difference of no less than 91,000,000*l.* sterling between the years 1847 and 1849, as everybody must see, which must leave means to the community available for other objects; and which, from whatever cause it may arise, will always be felt immediately in the trade and condition of the people. If the protective duty on food has had the effect of keeping up the price of food, the people will know how to judge of what they have gained by its abolition, and the people may calculate how much they have lost by protection being continued so long. I do not want to make the people more dissatisfied than necessary with the manner in which they have been treated for the benefit of a particular interest. On the contrary, I should be glad if hon. Gentlemen opposite could show me that I am wrong—I should be glad to find that they could show the people that there has not been injustice done to them in past years, as such calculation tends to show, and that they have not derived so much benefit from free trade as I believe they now enjoy, seeing that in the first year of free trade, which, it is said, has caused reduction of price, such great saving has been made. Why, if 91,000,000*l.* had been rendered available to the people by any other means, would anybody be astonished to hear that a state of general prosperity followed? And I say that this economy in the article of food between such years as 1847 and 1849 has been available to the people for the comforts of life; and the state of prosperity which prevails proves that the people have availed themselves of these increased means of procuring comforts of which they would otherwise have been deprived. Any one who entertains any doubt on this subject, has only to look to such evidence as I have read in order to see that such is the case. But I must say, that when that is called an experiment in this country—because I understand that Gentlemen call the liberty to buy food freely an experiment—it seems to me an experiment of justice and advantage not likely to be soon changed or departed from, or, at least not until people prefer less instead of more of what they want, and like to pay more instead of less, for what they wish to buy. Seeing that there are so many others to follow me, likely to be full of information of the kind that I have already adduced, I shall not detain the House longer on this question. My case is, that this great change in the price of food is sufficient to account for the improvement that has taken place in the condition of the people. I would now advert to another topic in Her Majesty's Speech, namely, that which is contained in the following passage:—

> "It is with regret that Her Majesty has observed the complaints which in many parts of the kingdom have proceeded from the owners and occupiers of land. Her Majesty greatly laments that any portion of her subjects should be suffering distress."

And I think that any expression of sympathy on the part of Her Majesty with the sufferings of the owners and occupiers of land, will readily be responded to in this House, and indeed out of this House. I share in that feeling largely myself—I never wished ill, God knows, to the landed interest. When I advocated the repeal of the corn laws, I always thought the advantage of that interest was, as much as that of any other class, involved in the removal of what was falsely termed protection. What enhances my regret now for it is, that I cannot hold out the smallest prospect of relief that, with the view to its benefit and justice to other classes, the Legislature can extend to it. There was great difficulty in doing so, and for more than one reason; for what strikes me is, that there has been some experience already in that direction. The landed interest has had great power in the Legislature, and owing to the frequent recurrence of distress notwithstanding protection, there have been great opportunities of considering in what way it should be relieved; and these opportunities have not, I think, been thrown away; it was difficult, indeed, to find an experiment that had not been made of this kind. After considering this subject, I am obliged to conclude, that there are no peculiar liabilities attaching to land from which it could be relieved. There are none, in fact, that attach to an agriculturist in that capacity; the assessments for rates are upon local and visible property in any district. But I have found that there have been constant exemptions made in favour of the agriculturist; for certainly, when it was enacted that the farmer should pay no duty for his horses, none for his dogs, none for his tolls, none for his windows, none for insurance, those were favours; but what made him more despair of proceeding in this direction farther, was, that he was told, that whenever any charge of this sort was removed, it gave value to the land; that in consequence of any such reduction land would always let for a higher rent to the occupier. Now, he understood that what was chiefly desired was to relieve the occupier. He heard that the owner cared little for himself; and that inasmuch as this was not calculated to relieve the occupier, it was of little use. He did not merely state this on his own conviction, but he was fortified by an authority in the other House, no less than the late Lord Eldon—who said, in a corn-law debate, that it would be needless to reduce the local charges on land, for every 6*d.* that was taken from them, went to swell the rent of the owner. He thought, indeed, this was delicate ground for the landed interest to touch upon, for it would disclose more favour in the way of taxation than perhaps Gentlemen were now conscious of. But still less had he hope of relief being possible, when he observed the claim put forward, especially for the occupiers of land themselves; for, judging by the oratory that had lately been diffused throughout the country, it would seem as if the farmer still called for that which it was impossible to give, and which if given, would only prove, what it had been before, delusive and ruinous to himself; for it was still demanded for him that Parliament should promise him a price for his wheat, according to which price he could bargain for his land: that was the effect of the demand for protection that was now again made at the many meetings that had been held. He was astonished at the infatuation that could make such a claim after what had passed. He thought it a perseverance in delusion that was unequalled. It was worthy of a place in a work he had seen, entitled *The History of Human Delusions.* This would be among the greatest; for if anything was logically deducible from what had preceded it, it was, that farmers' losses, and sometimes ruin, had been occasioned by this very promise of Parliament not having been realised. The evidence taken before the Agricultural Committees of this House was really nothing else but the details of the farmer's disappointment, given by himself, in consequence of his having bargained for his land at the Act-of-Parliament price; and not having obtained that price, and being obliged to fulfil his contract, was compelled to pay his rent out of his capital, and too often to end in the *Gazette;* and yet he again required the Parliament to guarantee him a price for his produce, which he had seen was impossible, or at least not to be relied upon. It was just ten years ago, when making his annual address in that House on this subject, the greater part of his speech consisted of evidence which he had taken from those Committees on the part of farmers, describing the manner in which protection had deceived them, alleging, both in the year 1822 and 1836, that they were unable to meet their liabilities, from having contracted to pay for land what the prices of produce rendered impossible. In 1822 the story was, "We were told that wheat would sell for 80*s.* a quarter, and we are here, as ruined men, having only been able to get 49*s.*" In 1836 the story was, "Here we are, deceived again; we have been promised 64*s.* a quarter, and we are actually feeding our pigs and horses with the wheat, and malting it, instead of barley, having no better use for it." And what is worthy of notice is, that in 1822 the protection amounted to 50*s*. a quarter, and in 1836 to nearly 100 per cent. And let no man imagine that there was hope then among the farmers; it was unqualified despair; numbers were really swept away, and others deemed themselves ruined beyond recovery, because they did not expect to see a higher price again. If hon. Gentlemen opposite will turn to the report, they will see that the language was more desponding then than now; and the question that seems to engross the agricultural thoughts especially again now, was then also occupying them, namely, whether wheat could be grown at 40*s*. a quarter. The question is deliberately put in that Committee; an intelligent land agent and farmer is asked what he believed, and what farmers generally believed, would be the price of wheat in future; and the answer deliberately given was, that the farmers did not expect to see it again higher than 5*s*. or 6*s*. a bushel. He was then asked whether he thought the farmer could do upon that. "Well," he said, "I think they will, for other things will fall in proportion." And lucky would it have been far the farmers if they had seized that moment to abolish protection, and rely upon the price then, which they must submit to now; they would now probably have been a contented and prospering interest. But, Sir, I cannot lead the landed interest to expect that the House will take this matter into consideration, for I don't think it is a matter it has anything to do with; for if it was to consider that question, and come to a conclusion that wheat could not be produced at 40*s*. a quarter, I do not see that it could act upon that conclusion; for the time is past when we can raise the price of food upon the people again for the mere benefit of the producer; and if the other conclusion was come to, that wheat could be grown at 40*s*., it does not follow that it would be grown at that price, and the farmer be insured against loss in consequence; for if it required great capital, economy, intelligence, and security on the part of the farmer to produce wheat at that price, looking to the mode in which owners of land dealt with their properties, it did not follow that farmers would be always placed under the circumstances that would enable them to accomplish it, and if any reverse came, they would be as unable to meet it as they are now; for land is not regarded by many of its owners as a means of producing the greatest quantity of produce at the least possible cost. Land has a value to many people quite independent of that consideration. Accordingly, we find that it depends much upon the taste and objects of the proprietor what will generally be the tenure or circumstance of the farmer or cultivator of the soil. One man is a sportsman, and preserves game on his land, which destroys much of the produce. Another man is a politician, and cares more for the vote than the skill of his farmer. Another charges his estate with debt, and has nothing left, after paying the interest, for improvements. Another looks to influence from the possession of territory; while many like to tie up the land or limit the interest of the owner, for the sake of perpetuating the same property in one line of descent; while there are few only who are very ardent agriculturists. But all this shows how difficult it is to calculate upon the result of what could or would be done in farming in this country, and how impossible it is for Parliament to fix a price for produce. The tenant of an improving landlord may be the next neighbour of another who is of a different character, and one will be ruined in a year like this, while another might be doing well; all tending to show that this House cannot relieve any man from those conditions of his success, in this or any other business, in relying upon his own forethought, capital, skill, and industry, without which he will fail. The farmer, then, should be told that, with the best disposition to serve him in the world, this House cannot do it; for Parliament cannot undertake to manage the landed property of the country, or to limit the amount of its produce, without which there cannot be any certainty with respect to price. In the midst of their present distress I will just read a case that has recently occurred, showing how little able that House was to come to any practical conclusion on the business of agriculture from statements of distress made by individuals:—

> "A farm in Gloucestershire of 400 acres, the land of medium quality, and distant from a market—which was formerly let at 20*s*. per acre, which has been drained and money otherwise laid out in permanent improvements—has quite recently been taken, on a lease for eighteen years, by an experienced farmer, with adequate capital, at a rent of 40*s*. per acre, The tenant to be at liberty to destroy game, remove hedges, cut down trees, and, in short, to deal with the land as though it were his own; and if the landlord sees reason to fear that he is not fairly dealt by, the matter is to be settled between him and the tenant by arbi-

tration. No other conditions in the lease. The tenant says he shall be satisfied with 40*s.* per quarter for his wheat, and prices for other produce in proportion."

[*Cries of* "Name, name!"] Gentlemen seem to doubt the correctness of the case. It was given to me by persons who assure me it is a faithful statement of what has occurred, and I have read it believing it to be true; if it is otherwise, I shall be the first to admit that I have been deceived. I do not deny that many farmers are distressed; I believe that they are. I should be astonished if they were not; for tenants at will, depending entirely on the price of wheat for the year, could not stand if the price fell. But, notwithstanding the reduction of price, I do not think that the case at present of the owners and occupiers is hopeless; for there is still this consolation, that land has not fallen in value, but it is as high now as it has been for the last twenty years, and much higher than formerly—that no farm falls vacant that there are not as many or more candidates for its occupation than ever, but, in some cases, farms have lately let at an advanced rent—and that the agricultural labourers are as well or better off than they have been. And that is the condition of the landed interest after the first year of free trade, which is not one, I think, at present to produce despair, or that precludes persons interested from retiring from a business of which they despaired; and there is this farther consolation, that will, I am sure, occur to them, which is, that, supposing that if the worst came to the worst, and that the owner was obliged cordially to co-operate with the occupier, with the view to improvement, and to conduct the business of farming in the same spirit and with the same economy and energy with which other businesses were conducted, that really and truly the landowner of this country laboured under no disadvantage whatever compared with any foreigner; and that if he was less fortunate in one respect, he was more so in many others, and that there was really no reason why he should not compete successfully with any country on the earth. In most respects, he was superior—he had better climate, better government, better labour, better implements, more manure, superior communication, and the best market in the world at his door. But one thing was wanting, which the landed interest had in its own hands—namely, that the land was dearer here than elsewhere; but here the remedy was always in the hands of the owner, and I am certain, that if he looked at his position fairly in the face, and at the requirements of the community in future, he would come to the conclusion that it was only a reproach to him, and to the agriculturists in Ireland, that they should import any food at all from other countries. It is my deliberate opinion that these two islands could, with ease, maintain a very much larger population than existed at present; and this reproach more particularly applies to Ireland. Why, if any man was calmly to survey the circumstances of these two countries, he would say that Ireland had been laid a-side of England, for the purpose of feeding her—the finest agricultural country in Europe, united to the largest manufacturing and wealthiest commercial community in the world; and yet what was the spectacle presented to the world at this moment?—the owners of land in Ireland more distressed than those of England, and the people of that country better off, simply because there had been a large and free importation of foreign food; and yet this very agricultural interest had been what was called protected. Well, what was it owing to? Is there a man that says, that Ireland could not produce more? or that it has resulted from anything but the mismanagement of landed property, protected highly for forty years? A purely agricultural country, and yet within three years one of the most awful famines that ever visited a country, has befallen it, and the landed proprietors at this moment in a state of ruin. Was ever such an anomaly? I do not wish to reflect severely on the present proprietors, but an awful retribution has fallen upon the ownerships of land, and the owners have been quite unprepared for the visitation: their lands had been neglected, the people neglected; too much of the agriculture in a barbarous state, and the estates encumbered with debt; while the only hope for the country now is, that its recent misery, having revealed to us the real cause of its past poverty, and the responsibilities now cast upon the landed property in case of its neglect in future being so heavy, that it makes it unlikely that the same evils will again be suffered to recur. Yes, Sir, regretting as I do, deeply, the sufferings and sad reverses of fortune to which the people of property in Ireland had been lately exposed, I do honestly and firmly believe, that the regeneration of that country will date from the time that has so fully discovered and disclosed to us the past neglect and sad waste of its resources. I have no hesitation in defending the legislation for that country in the particular which is most complained of by the Irish proprietors—I mean the poor-law; and I never felt more sanguine about the prospects of that country than I do at this moment. I believe that the poor-law was a measure of humanity as well as of policy. I believe that it has already withdrawn from the people the chief pretext for crime; that it has diminished, what was next to crime, the frightful extent of mendicity in that country, and comparative security has been given to life and property; the people have ceased to feel desperate from being destitute; which taken together with the facilities which had been given to the transfer and sale of property, I firmly believe, will very soon tempt men of capital to invest their fortunes in land in that country, and that agriculture there will become a profitable enterprise, engaged in by persons from all parts of the united kingdom. But, of all other things, I should reckon upon the continued prosperity of the manufacturing interests of this country as the most important adjunct to the prosperity of Ireland, as affording a constantly-improving market for their produce, and a great and ready vent for their surplus people; and this, I do firmly believe, will result from the policy that has been adopted here with respect to trade. I expect, and am not afraid to say it, that the prosperity of this country will be steady, referring, as I do, so many of our past convulsions in commerce to erroneous policy with respect to the trade in food. I do believe that prosperity will endure under our present system. I may be wrong, but I regard the affairs of this country now with more confidence and with more hope than I have ever done before; I believe that they rest upon a more solid foundation than they have hitherto done. I ascribe it to the increased intelligence of the people, their constant vigilance in public affairs, the higher moral feeling that pervades all classes, together with the great and useful reforms that have taken place of late years, from all of which has resulted a greater amount of political, religious, and commercial freedom than was ever enjoyed before by any people on the earth. Political and religious freedom we have had for some time past, and nothing but better order and more contentment have proceeded from it; and I can never think that anything but good could result from that other measure of freedom which gave us the strongest interest that there should be peace on earth, good will among men, and that our neighbour should prosper like ourselves. And I trust, now, that I do not place a wrong construction upon the concluding passage of Her Majesty's Speech, when I infer from it that those who are now entrusted with the administration of the country are duly impressed with the truth, that the surest mode of maintaining the institutions of the country in the affections of the people, is by proceeding still, in the progressive spirit of later years, in reforming what is decayed, extending what is inadequate, and showing a confidence in the people, which every extension of their liberties has hitherto justified. The hon. Gentleman concluded by moving—

That an humble Address be presented to Her Majesty, to convey to Her Majesty the Thanks of this House for the gracious Speech which Her Majesty has commanded to be made to both Houses of Parliament:

Humbly to thank Her Majesty for the assurance of Her great satisfaction in again having recourse to the advice and assistance of Her Parliament:

That we condole with Her Majesty on the decease of Her Majesty Queen Adelaide, which has caused Her Majesty deep affliction; and that we entirely concur with Her Majesty in the belief that the extensive charity and exemplary virtues of Her late Majesty will always render Her memory dear to the Nation:

Humbly to express the satisfaction with which we learn that Her Majesty happily continues in peace and amity with Foreign Powers:

To thank Her Majesty for informing us that, in the course of the autumn, differences of a serious character arose between the Governments of Austria and Russia on the one hand, and the Sublime Porte on the other, in regard to the treatment of a considerable number of persons, who, after the termination of the civil war in Hungary, had taken refuge in the Turkish territory; and we rejoice to learn that explanations which took place between the Turkish and Imperial Governments have fortunately removed any danger to the Peace of Europe which might have arisen out of these differences:

Humbly to convey to Her Majesty our thanks for informing us that Her Majesty having been appealed to on this occasion by the Sultan, united Her efforts with those of the Government of France, to which a similar appeal had been made, in order to assist by the employment of Her good offices, in effecting an amicable settlement of those differences in a manner consistent with the dignity and independence of the Porte:

To thank Her Majesty for acquainting us that Her Majesty has been engaged in communications with Foreign States upon the measures which might be rendered necessary by the relaxation of the restrictions formerly imposed by the Navigation Laws of this Country:

That we rejoice to learn that the Governments of the United States of America and of Sweden have promptly taken steps to secure to British Ships in the ports of their respective Countries, advantages similar to those which their own ships now enjoy in British ports:

That with regard to those Foreign States whose Navigation Laws have hitherto been of a restrictive character, we learn with gratification that Her Majesty has received from nearly all of them assurances which induce Her to hope that our example will speedily lead to a great and general diminution of those obstacles which previously existed to a free intercourse by sea between the nations of the world:

That we unite with Her Majesty in lamenting that in the summer and autumn of the past year the United Kingdom was again visited by the ravages of the Cholera; but we are thankful to Almighty God, who in His mercy was pleased to arrest the progress of mortality, and to stay this fearful pestilence:

That we humbly concur with Her Majesty, in the persuasion that we shall best evince our gratitude by vigilant precautions against the more obvious causes of sickness, and an enlightened consideration for those who are most exposed to its attacks:

Humbly to assure Her Majesty, that we rejoice to be informed that Her Majesty, in Her late visit to Ireland, derived the highest gratification from the loyalty and attachment manifested by all classes of Her subjects; and that we learn with satisfaction that, although the effects of former years of scarcity are painfully felt in that part of the United Kingdom, they are mitigated by the present abundance of food, and the tranquillity which prevails:

That we regard with great satisfaction the improved condition of Commerce and Manufactures; and whilst sharing with Her Majesty in the regret with which Her Majesty has observed the complaints which in many parts of the Kingdom have proceeded from the Owners and Occupiers of Land; and humbly concurring with Her Majesty in lamenting greatly that any portion of Her Majesty's subjects should be suffering distress; to unite with Her Majesty in the feelings of sincere gratification with which Her Majesty witnesses the increased enjoyment of the necessaries and comforts of life, which cheapness and plenty have bestowed upon the great body of the people:

To thank Her Majesty for having directed the Estimates for the year to be laid before us, and for informing us that they have been framed with a strict regard to economy, whilst the efficiency of the various Branches of the Public Service has not been neglected:

That we participate in the satisfaction with which Her Majesty has seen the present state of the Revenue:

To express our thanks to Her Majesty for informing us that some of the measures which were postponed at the end of the last Session for want of time for their consideration, will be again laid before us, and that among the most important of these is one for the better government of the Australian Colonies:

Humbly to thank Her Majesty for having directed various measures to be prepared for the improvement of the condition of Ireland, and for acquainting us that the mischiefs arising from Party Processions; the defects of the Laws regulating the relations of landlord and tenant; the imperfect state of the Grand Jury Acts; and the diminished number of electors for Members to serve in Parliament, will, together with other matters of serious consequence, form the subjects of measures to be submitted for our consideration:

That we unite in the satisfaction with which Her Majesty has learnt that the measures which have been already passed for the promotion of the Public Health are in a course of gradual adoption, and that we concur with Her Majesty in the hope that, both in the Metropolis and in various parts of the United Kingdom, we shall be enabled to make further progress in the removal of evils which affect the health and well-being of Her subjects:

Humbly to join with Her Majesty in acknowledging that the favour of Divine Providence has hitherto preserved this Kingdom from the wars and convulsions which during the last two years have shaken so many of the States of the Continent of Europe; and that we heartily concur in the hope and belief expressed by Her Majesty, that by combining liberty with order, by preserving what is valuable, and amending what is defective, we shall sustain the fabric of our Institutions as the abode and the shelter of a free and happy people."

SIR JAMES DUKE: After the very able, full, and successful speech of my hon. Friend, I am sure that this House will feel that I rise under no ordinary difficulty to second the Address which he has moved to Her Gracious Majesty. Sir, though I have had the honour of a seat in this House now for nearly thirteen years, this is the first occasion that I have ventured to offer myself to the notice of the House; and I am sure, under these circumstances, I shall meet with the kind indulgence of the House in the discharge of the duty which I have undertaken with great reluctance—with great reluctance, from a sense of my inability to address the House, but with great satisfaction, as a Member for the city of London, in giving my cordial support and confidence to Her Majesty's Ministers, under the firm persuasion that they will continue to do everything on their part to maintain the high character and peaceful influence of the nation abroad, and the contentment and prosperity of the people at home, while, at the same time, they will enforce reform and retrenchment in every department of the State, consistent with the safety and the honour, and the dignity of this great empire. No one more deeply sympathises than I do with our Gracious Sovereign, in Her deep affliction at the decease of Her Majesty Queen Adelaide. I fully concur in the sentiment that Her late Majesty had justly endeared Herself to this country by Her piety, her charities, and Her exemplary virtues, and that Her name will be long held in grateful remembrance by every man, woman, and child in this kingdom. Her Majesty states that She recurs with great satisfaction to the advice of Her Parliament. The first meeting of the present Parliament occurred little more than two years ago, and I remember that, on that occasion, instead of the hon. Mover congratulating the House on the state of the country, he was necessarily compelled to begin his speech by lamenting the great distress which prevailed in the trading and manufacturing districts of the kingdom, many mills in that part of the country which he represented being stopped, and the operatives thrown out of work. I think I may feel justified in saying that, at no period in the history of the country, has the House met under more gratifying circumstances than at the present moment. When we reflect that two years ago the great commercial interests of this country had passed through an ordeal which shook some of the most potent commercial houses in the world, and threatened others with a similar fate, I think we may congratulate ourselves that in so short a time the prosperity of this country has been so firmly re-established. I am happy to say, as the representative of the city of London, that I believe at no period has the trade and commerce of the city been in a better condition; and not in London alone, or in the other great commercial emporiums of the country, but in the most remote towns and manufacturing districts we have evidence of an increased and greatly extended trade, giving full means of employment to the people, whose improved means and condition are evidenced by the growing state of the revenue. At the same time, I deeply lament with Her Majesty that causes of complaint exist in the agricultural districts. I had the honour to represent a borough closely connected with an important agricultural county, and, from my knowledge not only of the landed proprietors, but also of the farmers of the district, I confess I should be one of the last persons to witness the distress of that body with feelings of indifference. I believe the farmers to be a peaceable, loyal, and industrious class; and, as such, well deserving of the favour of this House. But, though I say that, I fear I cannot go farther and agree with the means which have been suggested as a remedy for the distress which prevails. I fear that if they were led to believe that this House could, by any legislative measure, reimpose the duties which have been taken away, they would find themselves deceived; for I believe that the people of this country could not be prevailed upon again to have their food taxed, nor do I think that any Government would propose it, or any Parliament sanction it. I confess, however, that when speaking of free trade, I am reluctant to say much on the subject; because I have observed, with some pain, that parties who are willing to believe that free trade has benefited the country, are supposed to be inimical to the agricultural interest. I fear it is supposed that the repeal of the corn laws was effected to lower the landed interest and to depress the farmer, but to benefit the manufacturer. So far from that being the case, I am persuaded that nothing but the most overwhelming sense of public duty, and the stern necessities of the country, could have carried that measure. My hon. Friend has said so much upon this point, that it is unnecessary for me to detain the House further with respect to it; but without referring to returns which were open to every other Member of the House, I may refer to one which I received in my position as a magistrate of the city of London, which shows not only that cheap food affords abundant employment to the people, but that it tends to diminish pauperism and to lessen crime. I hold in my hand an official return, which I received yesterday from the governor of Newgate; and though my hon. Friend has already quoted similar returns, embracing all England, I think that this return is the more striking when we consider that the idle, the dissolute, and the unemployed are generally to be found in the metropolis of the empire. The total number of prisoners committed to Newgate from the 1st of January to the 31st of December, 1849, were 2,464, being a decrease from the previous year of no less than 593, or one-fourth of the whole number. This shows the diminution in a most striking manner, as this gaol includes the whole district within the jurisdiction of the Central Criminal Court. I may also read a letter, which was not sent to me preparatory to my speech in this House, for I was desirous to confine my observations to what I myself knew, and not to trouble the House with information which was equally open to other Members of the House; but I received a letter yesterday from my hon. friend the mayor of Manchester, which I think of importance sufficient to deserve the attention of the House. He says—

> "I have a strong impression that the operatives of this district were never, at any former period, more fully employed, more comfortable in a social point of view, or better disposed than now. The rate of wages is, I believe, satisfactory; and the cheapness of the necessaries of life—in food and clothing—has wonderfully improved their condition. The hat trade is rather an exception to this rule, though but few people are employed therein, and the depression is easily accounted for. I have never, during my mayoralty, had one hour's uneasiness about the peace of this district. The speculation in cotton, and its high price, now interfere with the prospects of our master manufacturers and spinners, and I think few are making money; nevertheless the trade of 1849 must, on the whole, be considered very satisfactory. Our own experience in the home trade leads me also to think that the demand from the agricultural districts has not indicated that distress of which we have recently heard so much."

Now, if the general trade and business of the country continue in this prosperous condition, it is to be hoped that prosperity will speedily find its way to agriculture; and for my part, I see no reason to anticipate that the present low prices for agricultural produce will be continued. I remember when the measure for repealing the corn laws was passing through this House, great apprehensions were entertained of an immense supply of corn from the continent of America; but it happened that I was at Liverpool on the day when Mr. Bancroft, the late American Minister, left this country. I had some conversation with that gentleman before he embarked, and in the course of it he gave it as his confident opinion that it would be impossible for America to send any considerable quantity of corn to this country at a price less than one ranging between 45*s.* and 50*s.* a quarter. I do, therefore, hope that the demand for food will continue to increase, and that in this fact alone the farmers will find an improvement in their prices. At the same time I am most happy to concur with my hon. Friend as to the results of free trade in reference to the importation of corn; because it was supposed that not one extra bale of goods would be sent out of this country in return for the corn imported; that nothing but bullion would be taken by the foreigners. On the other hand free trade has proved that at no period has commerce made so rapid, so solid, a progress as since the passing of the free-trade measure; while the stock of bullion was never so large, nor capital so abundant and so easy in the commerce of the world. But I will not dwell longer upon this point except to repeat my hope that the prosperity of the manufacturing and commercial classes would soon be shared by the agricultural interest. There is one part of Her Majesty's Speech to which it is my duty to advert—the expression of Her Majesty's gratitude to Divine Providence that the recent visitation of the cholera has so soon abated; and I am sure the House will feel that one of our first and most sacred duties is to endeavour to protect the health of the people, who have shown, by their exemplary conduct, that they are animated by feelings of obedience to the law and loyalty to the Crown. I must also say, that I am gratified to find Her Majesty contemplates an increase in the number of the Parliamentary electors of Ireland; but, I confess I should have been better pleased if we had had some intimation that a similar measure was to be extended to this country; and I do hope that the Government will even yet consider whether or not the many towns still left in this country, which have neither the privilege of a borough franchise, nor of sharing in the county representation, may not now have conferred upon them the privilege of voting for Members of Parliament. I cannot sit down without referring to the navigation laws, because I was one of those who voted against the Government when that question was before the House. I considered at the time that it was a hazardous experiment; but I am now happy to find, from the Speech we have heard from Her Most Gracious Majesty, that several of the foreign Powers have already conceded to us the advantages we have conferred upon them, and that it is hoped others will take steps to follow their example; and I am happy to confirm the statement which my hon. Friend has made respecting the activity and progress that is now apparent in all the dock and building yards of the country, especially in the port of Sunderland, with which I was long connected. At no time have there been so many ships in progress, and at no period have so few been built on speculation, but almost the whole of them to order, being at the same time a class of ships that are far superior to any that have been built heretofore. I may add, that the energy, the enterprise, and the character of British shipowners, as well as the class of their ships, will enable them to maintain their superiority in the carrying trade of the world. With respect to our foreign relations, I heartily share in the feelings expressed by my hon. Friend; and I trust that the noble Lord who so ably conducts our foreign affairs, will still be able to maintain the best understanding with the Government of France, and to leave to us the blessings of peace for ages to come. I am quite sure the House will be as unwilling as I am myself that I should further trespass upon their attention—["No, no!"]—but I cannot sit down without thanking them for the indulgence they have shown me, and without expressing a cordial response to the wish expressed by Her Majesty, that by combining liberty with order—by preserving what is valuable, and amending what is defective—the fabric of our institutions may be sustained, and this country long remain the abode and the shelter of a free and happy people.

SIR J. TROLLOPE said, that he felt he ought, in the first instance, especially to claim the indulgence of the House in taking the unusual course—unusual, at least, within the last few years—of proposing the addition of a few words to a passage in Her Majesty's Speech. He ought, too, to apologise, perhaps, for intruding upon the House; but he would endeavour to make his statement as brief and concise as possible, whilst he endeavoured to lay before them the case of a very numerous class of their fellow-subjects that were suffering severe distress, and to whose complaints he gave sincere and hearty credence. He felt also that some apology was due from him to the House on another ground, namely, because, with the exception of the point to which he was presently going to refer, there was so much in Her Majesty's Speech in which he heartily concurred, and in which he was sure that concurrence was shared by those who were sitting around him. They felt, in common with all in that House, and with the nation at large, sentiments of the deepest condolence with the Throne on the loss which all had sustained in the death of the lamented Queen Adelaide, for they had all known how extensive were her charities, how great was her kindness of heart, and how exemplary and virtuous her character. In the next passage of the Speech Her Majesty had informed them that she happily continued in peace with foreign Powers. In all that Her Majesty had said on that head they all agreed; and they were happy in receiving the assurance that the differences between Austria and Russia, on the one hand, and the Sublime Porte on the other, had, in some degree, been brought to a happy issue by the employment of the good offices of this country. Her Majesty further stated, that she had been engaged in communications with foreign States upon the measures which might be rendered necessary by the relaxation of the restrictions formerly imposed by the navigation laws of this country; and that the Governments of the United States of America and of Sweden had promptly taken steps to secure to British ships in the ports of their respective countries advantages similar to those which their own ships now enjoyed in British ports. Now, in all this they heartily concurred, and as the measure for the repeal of the navigation laws had passed into a law, it was the duty of every good subject to wish for its success; and he hoped that it might be found that the British marine might not be rendered less efficient in consequence of it. In the next passage Her Majesty had referred to the ravages of that awful disease, the cholera, in the course of the summer and autumn of the past year; and he would say, that he believed that they were much indebted to the Government for the measures which they had taken to stay the progress of the pestilence, and thought he might assure them that they would, if they considered any fresh measures on such a subject essential, and were prepared with any, receive a willing concurrence and support from that side of the House; for the classes of this country who were the least able to help themselves had, it could not but be admitted, the greatest claim on their sympathy and assistance. Her Majesty had further observed, that She had, in her late visit to Ireland, derived the highest gratification from the loyalty and attachment manifested by all classes of Her subjects. That gratification, he was sure, was shared by all who heard him; and when Her Majesty added, that although the effects of former years of scarcity were painfully felt in that part of the united kingdom, they were mitigated by the present abundance of food, and the tranquillity which prevailed, in these remarks they could all sincerely and cordially concur. The next paragraph of the Speech began with the observation that Her Majesty had great satisfaction in congratulating them on the improved condition of commerce and manufactures. Here, too, he could concur, as could also the great party with which he had the honour to act; and he was sure that the large constituency he represented in that House would likewise rejoice to hear that this was the case; all they asked was, that some portion of this prosperity might be reflected upon themselves, which was certainly not the case just now, except as regarded one article, in which there had undoubtedly been considerable improvement of late. He alluded to the article of wool—in respect of which they had certainly received a considerable accession of price in the last few months; and though the price was very low at the last clip time, it had since risen by some 25 or 30 per cent. But when Her Majesty proceeded to say—

> "It is with regret that Her Majesty has observed the complaints which, in many parts of the kingdom, have proceeded from the owners and occupiers of land; Her Majesty greatly laments that any portion of Her subjects should be suffering distress; but it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life which cheapness and plenty have bestowed upon the great body of her people;"—

he must say, he hardly thought that complaints issuing from every county in England and Scotland—Ireland was too much absorbed with an important grievance of her own, the new poor-law, to take up this question—should be treated with so much indifference. There was not a county, from Cornwall to Caithness, but had spoken of the difficulty under which agriculture was labouring. His own county had met last Friday, and a more imposing assembly he had never witnessed than that which he then beheld in the Castle-yard at Lincoln, where not less than 15,000 people were present during the meeting, and no fewer than 20,000 persons had entered the city of Lincoln on that day with the view of joining in the proceedings of the occasion. They had been told there was to be a formidable opposition from some tradesmen in the city of Lincoln, whose opinions were more in accordance with those of the defunct Anti-Corn Law League than of those who were their customers; and he believed that a well-known agitator, who had been a member of that body, came down to Lincoln to take counsel with those who were about to propose amendments on the resolutions at the meeting. That gentleman, however, did not think fit to stay to meet the farmers of Lincolnshire—finding, no doubt, that he must not expect any support, and avoiding, very wisely, giving cause or occasion for the eliciting of angry and acrimonious feeling. The consequence was that that great body of persons had held their meeting in perfect peace—opinions were fairly expressed and discussed, every man was heard, and the majority was uncountable, whilst the minority might be summed up in a very small space. The resolutions might be said to have been carried all but unanimously—and the same proceedings had been adopted in many other counties; in some, he regretted to have observed, with an acrimony of speech, and in some with a violence of conduct, which could not advance any cause. They had in Lincolnshire avoided that, and had discussed the question in a calm but, at the same time, an unmistakeable tone—in a tone, in short, in which they meant to abide, and still further to press their claim to be heard, and to have their complaints considered—for they were of opinion that representing, as the agriculturists did, so numerous and important a body in the country, they had not been met with that attention to which they had so just a claim. They thought those complaints had been treated with something of levity, and, indeed, with a feeling akin to disrespect. They did not find there was any disposition evinced to listen to them. They had not, in this passage of the Speech, one word of redress, though many modes of redress had been pointed out by them. They had scarcely received a word of condolence—but that they did not ask, and they cared not for their pity, if they would only give them the relief they required and were entitled to. The hon. Mover of the Address had referred in the course of his speech, to many written authorities, and to many statistics; but he (Sir J. Trollope) would not on that occasion trouble the House with anything of that description; though, were it necessary to do so, he could lay before them many very important documents with reference to the cost of production and other points connected with this question. Such a course would, however, occupy much of their time, and would not be of service. The hon. Mover had stated that the true reason for the abolition of the corn laws was, that England did not produce enough to feed her own people; but he (Sir J. Trollope) at all events could not plead guilty to that charge—it was a charge that could not by any means be brought against the north-eastern counties of England—because it was with them a pride and boast that they had cultivated every corner of the land—and brought every acre of waste under culture—and all this by the skilful application of great capital. The most sterile heath and boggy fens had been converted into fertile districts through the application of great capital; and now that they asked them to compete with all the world, of course their capital was diminished, for as the returns of their capital were diminished, the consequence was that their capital itself grew less. Indeed, in one of the north-eastern counties, a work of drainage was going on, namely, that of the Middle Bedford Level, on which not much less than half a million of money would be expended, and which would turn the land into a district of the greatest possible fertility. He could well remember the time when that part of the kingdom of which he was speaking was an oat-growing county, it was now a wheat-growing county—a bread-growing county—for more wheat was now sold in Wisbeach and Boston markets than in any markets of the kingdom—and all this, let him repeat, had been done by the large and skilful application of agricultural capital. He asked them, then, was it fair treatment to disregard the complaints of these owners and occupiers of land? But were there no complaints in other quarters on the subject of the cultivation of the land? Let him go to the highest quarter, and let it be asked whether the Crown lands were in a proper condition? Did they make both ends meet there with their 66,000 acres of waste in the New Forest—in respect of which they brought in an annual Bill for expenditure, instead of showing any profitable return from their property? Why did they not turn the Crown lands to good account at home, as they did in Canada and elsewhere? Gentlemen connected with the land in Lincolnshire and elsewhere had been laying out every year for many years past a certain portion of their income in the improvement of their properties; and he could say for himself that, having been a landlord for thirty years, he had laid out a large proportion of his property in improvements. But they did not come there as landlords—they might, as landlords, be able to meet the times. They were not in debt in his part of the kingdom; but it was the small landowners that would be the sufferers. In his own division of the county there was from 5,000 to 6,000 small freeholders, and the House was no doubt aware that more than half of the voters for the county he had the honour to represent were such men—and were unequalled for industry, morality, and loyalty to the Crown—and these were the people who so lately met at Lincoln, and to whom this question was one of almost life and death—whether they should continue or not in the occupation of their properties, or be deprived of their lands and their homes. The hon. Mover of the Address said that lands let as high and sold as high as ever; but he (Sir J. Trollope) could state that one gentleman, an attorney, much connected with these freeholders, who in single parishes sometimes amounted to 200 or 300—a class of men whom the hon. Member for the West Riding, if he really had at heart the extension of the freehold franchise, ought to cherish—that gentleman told him that many of these men, whose estates did not average more than a house and garden, could hardly effect sales of their property at all, and when they did, it was at a loss of from twenty to thirty per cent from the valuation made only two or three years ago. Another gentleman said they could find no buyers at any prices, and that even those which were held with mortgages on them could not be sold for the price of the money lent. So it would appear that this distress would at no distant period affect the moneyed interest and all other classes, as well as the agriculturists. This state of things would, they might depend upon it, reach them all in time, though they had eighteen millions in the Bank of England. Was it not possible they might have again one of those cycles of years of alternate sunshine and cloud?—might they not be some day exposed to another crash in the commercial and manufacturing world? He could not but remember the time when collections were made in the churches in all the agricultural districts in aid of manufacturing distress; and he now asked them that their (the agriculturists') case should be considered. He asked them not to put money in their pockets, but simply to take their case into consideration. He was entrusted with the proposal of a few words which he wished to add to this part of the Address they were now considering, after the words "commerce and manufactures." They were in a perfectly respectful spirit, and pledged the House to no policy, and only showed that the case of the agricultural interest was entitled to consideration. Now, there were one or two points in this passage, on which he wished to say a few words. The first point was, that they attributed the distress under which they were labouring to recent legislative enactments. This was admitted, both by the hon. Mover and Seconder themselves. They (the agriculturists) further stated that this distress was greatly aggravated by the heavy pressure of local taxation. They did not, however, complain of that when they had protection, as they were then in a better position to bear the burden of taxation; but now, when the case was somewhat altered in that respect, and prices so much reduced, men cried out lustily on this subject, when they found that they paid more than their neighbours, and remembered that though Ministers last year refused inquiry into it, yet that the House admitted it was possible there might be a heavier pressure, in point of taxation, on one class than on another, but that it was inconvenient to have the subject brought forward. Let them depend upon it, however, that it would be brought forward again — and, when it was brought forward, he trusted the Government would give it more attention than they had hitherto done. Let me now refer to the income tax. Schedule A gave *7d.* in the pound on all realised property; and if this great reduction in the value of property continued, the right hon. Gentleman the Chancellor of the Exchequer would not, he imagined, be able to boast of much of a surplus under that head. And how would they deal with Schedule B, which proceeded on the arbitrary system of taxing tenants occupying farms on the principle of profits taken at half the rent? But tenants told them they had no profits at all. If that is true, they ought to scratch Schedule B out of the Act, or else place the farmers in Schedule D, and let them make their own return. They would thus arrive at a more accurate view of the truth than they now did. It was, indeed, an arbitrary principle on which they now proceeded with the farmer, to calculate his profits at half his rent, for if he had the misfortune to have a bad landlord, he had a hard Chancellor of the Exchequer into the bargain. No; the right hon. Gentleman must revise his income tax if prices were to remain as low as they now were. But Her Majesty's Speech went on to say that it was a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life which cheapness and plenty had bestowed upon the great body of Her people. Now, he was not in the condition of having the sight of returns furnished by the Government as the hon. Member for Wolverhampton had been with reference to the returns of the Poor Law Board; but he knew that a certain return had been asked for from the different unions of the country, and he had had the order before him in the union with which he was connected. That return he had not yet seen, but he had paid great attention to all matters connected with the poor-law in his own county, and in regard to the Stamford union, within which he resided, and which comprehended several parishes covering a large district of country, he was enabled to say that they had not long ago from 40 to 50 people more than in any previous year—whilst in the Spalding union — a district favourable to the employment of labour—they had 100 more than at the corresponding period of the preceding year, and in the Sleaford union no fewer than 103 more. Besides this, there were in the gaol for the parts of Kestevan, within five of the greatest number of prisoners that it ever held before, and yet all of them confined for petty offences such as were committed under the pressure of distress—cases of vagrancy, of petty plunder, and poaching. For to the honour of the people of that district be it said, that, in spite of the great prevailing distress, there were only four prisoners for trial at the last quarter-sessions—the united value of the property for which they were tried being not more than 10*s.* A man, a mechanic, lately came to him out of work for several weeks, so that he had exhausted his credit, and knew not what to do. He (Sir J. Trollope) was reluctantly compelled to advise him to go into the union house; but the man replied that he had rather starve than break up his home, and go into the workhouse; and he did not go into it. And were they to discourage such feelings as these? The distress that prevailed had been largely met by the farmers and landowners, who had employed the people in works of drainage, and on their farms, and on the highways. And thus the list of the returns from the poor-law unions did altogether indicate the distress of the rural districts. With respect to Leicester and the stocking weavers, who were reported to be so well off, let it not be forgotten that the town and neighbourhood of Nottingham was not very far from it, where there had been, till lately, severe distress for a long time past. Let it, however, not be forgotten that both the Leicester and Nottingham trades are protected trades. They had a protecting duty of 10 per cent, and therefore did not come under the category of free trade; nor, indeed, had they anything that did, except the produce of land, and perhaps cotton. Why, they had no free trade; if they had, why not pull down their custom-houses? What would they do with the malt tax? He had never yet advocated the remission of that tax; but now the question was becoming a very different one, when barley, the raw material of which they made the malt, was of very little more value than the heavy duty upon it. It now amounted to 90 per cent upon the price of barley, and under the present condition of the agriculturists it deserved consideration and revision. He himself did not approve of feeding cattle upon malt; but others did, and they should be enabled to make malt of their barley if they pleased to do so. If they were to have free trade, let them have every trade free. The capital applied to land of late years had been greater than it had ever been, and tenant-right was acknowledged and acted upon in the district of England with which he was connected. They had there a system of what was called "free farming," which meant that the tenant was not restricted as to the mode of cultivation to be adopted by him, and taking care to have men of capital and skill for tenants. Perhaps they talked louder than many other parts of the country, but it was because, having done all these things, they were, when the pressure nevertheless came upon them, in a position to call out without deserving the imputations that were so profusely thrown against the owners and occupiers of the soil. With respect, again, to the Speech under discussion, he hoped the House would bear with him whilst he made a few more remarks upon the next passage in that Speech. Her Majesty, addressing the House of Commons, said She had directed the estimates for the year to be laid before them. They had been framed, Her Majesty informed them, with a strict regard to economy, while the various branches of the public service had not been neglected. He was most anxious to impress upon the Government the fact that the general depression of prices must make all of them economical, and those who applied this principle to their private affairs ought to enforce it on the State. When gentlemen found their private resources diminished and deranged, and were thus obliged to economise, could they be blamed for dealing out the same measure to the Government? He, for one, should in future be one of the most rigid economists in that House. The whole body of the farmers of England were of the same mind as himself, and they would enforce the strictest economy in every department of national expenditure. The Government had dealt out a strict measure of justice, as it was called, to them, and they would take care that the expenditure of the country was carried on upon the same principle of strict justice. Talk of feeding the people! Were not the agriculturists part of the people? Nay, more, did they not take the greater share of the national burdens; and who was more interested in a diminution of expenditure than the agriculturists? Depend upon it, the representatives of the agricultural interest would be found the most unflinching economists in that House. He was no practised speaker, and had no claims upon the House in consequence of his oratorical powers; but he spoke from a long experience, and stated only that which his practical knowledge enabled him to ascertain. He could remember, as a landowner and cultivator, the distress of 1822, and the still lower prices of 1835; but those seasons of depression arose from different causes. In 1822 the prices of some kinds of produce, oats and barley for instance, were lower than even at the present time, and the price of meat was not more than from 3*d.* to 4*d.* per pound. *En passant,* he could tell them that in the past year the graziers of England had sold the greater part of their meat at 4*d.* to 5*d.* per lb., although the inhabitants of the metropolis had been paying 7*d.* and 8*d.* That, however, was their affair. In 1822 there were great reductions of rent all over the kingdom. He had reduced his, and they had never been raised again to the full extent. Many farms were given up; whole parishes went out of cultivation, to his knowledge, in Cambridgeshire and Buckinghamshire, and the inhabitants and the poor had to be maintained out of capital. Might not such a state of things occur again? Would not the present legislation have a great tendency to produce such a result, by impoverishing continually this branch of industry; and must it not also have a tendency to endanger the security of property and of the State? He was aware that the distress then prevalent was attributed to legislative causes, to the effects of the Bill introduced in 1819 by the right hon. baronet the Member for Tamworth. He was not going to make a currency speech, however; he should leave that part of the question for the hon. Member for North Warwickshire. But the principle of that Bill was relaxed, and things went right again. That period of depression was followed by one of prosperity, and the Chancellor of the Exchequer of that day was greatly elated. He trusted his right hon. Friend opposite, the Chancellor of the Exchequer, would not find his elation subject to so speedy a fall—for directly afterwards there was then a terrible depression, not only of the agricultural, but of all the industrial interests. In that day, however, legislative relief was afforded, things righted themselves, and nothing more was heard of the agricultural depression. Again, in 1835 and 1836 wheat was almost unsaleable. He could not sell his, but, mixed with other food, was obliged to use it to feed animals. That was not caused by any overwhelming foreign importation, but by that most wholesome of all causes, plenty at home—the unparalleled abundance of the harvests of two consecutive years. That was the true and legitimate source of cheapness, but it led to a great outcry. The farmers struggled on, and after a time prices rose. The next period in which the agriculturists were directly concerned was that of the famine in Ireland; and then they all to a man, and, indeed, he believed every man in the country, raised their voices in favour of opening the ports. But how to deal with present circumstances was now the question, and that without delay, for the difficulties of their position seemed to them every day to be growing larger and more formidable. He saw no way of dealing with present circumstances but that of reconsidering the whole question of imports. The state of the agricultural interest must be fairly met. When a most important interest of the community was suffering, when it experienced a great declension in social position, when its cultivators were no longer able to employ the labourers themselves, and its owners were on the verge of ruin, surely it was time for the Government to do something. Would they leave them to such resources as those offered by the philanthropic right hon. Gentleman near him—the Member for South Wilts—to the distressed needlewomen? a resource which, while it deprived those who were sent from their native land of all the cherished associations of home and kindred, did not, in his opinion, offer any real relief. If a number of labourers were thus removed, the vacuum would soon be filled up, and those who were gone would probably be those who would be best left behind. Voluntary emigration was going on at an astonishing rate, and that not only took out of the country the most energetic and skilful agriculturists and labourers, but that very capital which should be laid out on the land at home. The skilled artisan, the small landowner, and the farmer, were, he had always been taught to consider, the strength of the country, and in this crisis we could ill afford to lose them. This system had now gone on for some time in Ireland; and did any one suppose that the men thus transported across the Atlantic bore any feeling towards the mother country but that of hate? If ever this country should have a quarrel with that great and powerful Republic the United States, they would find their bitterest enemies were the expatriated Irish—men who, if they had been valued as they ought at home, would have been now the stay of England. He had lived in early life in Ireland, and had frequently visited it since; he had experienced from her people the most generous hospitality, and for their sakes, as well as from the conviction that to legislate so as to stimulate one interest at the expense of another could neither be a lasting benefit to any class, nor ensure the prosperity of all, he pressed the Legislature to reconsider its past policy. He should move, as an Amendment, after the words in the Address, "commerce and manufactures," the insertion of the following words:—

> "But humbly to represent to Her Majesty that in many parts of the United Kingdom, and especially in Ireland, the various classes of Her Majesty's subjects connected with the cultivation of the soil are labouring under severe distress, mainly attributable, in our opinion, to recent legislative enactments, the operation of which is aggravated by the heavy pressure of local taxation."

COLONEL CHATTERTON seconded the Amendment. He said, he would not travel over the ground so well occupied by the hon. Gentleman who preceded him on the topics of Her Majesty's Speech, but would confine himself to the state of the sister country. In the first place, he begged to disclaim every feeling of partisanship, or any feeling of a factious nature, as he was only actuated by a high sense of duty. Returned by men of all parties and ranks, and of various political doctrines, he had pledged himself to represent to the House the difficulties in which Ireland was placed, and to convey to them her weak and almost broken-hearted prayer for the restoration of protection to her commercial and agricultural interests. Men of wisdom and men of religion had, by various endeavours, sought to discover the causes of that wretchedness which made the people of Ireland so wonderfully different from the people of every other country—a people who filled the ranks of the British army, and were at all times ready to maintain the honour of England at the cost of their lives. In that country the suffering and degradation of the people had been beyond all powers of description. It was not for the tongue of man to tell the extent of their sufferings, and it was unfortunately but too true that their sufferings, in every variety of form, had been aggravated by religious differences which no successful attempts had ever yet been used to allay; but for a time, amidst the extremity of the distress which had afflicted them, they forgot those religious differences—they laid them aside and did all in their power to assist each other, and mitigate as much as possible the general distress; but such efforts would not, to any great extent, be successful. Almost every effort would be ineffectual so long as free trade and the poor-law remained in full operation. He believed it would be impossible to continue such enactments in full force, but he should at present content himself with seconding the Amendment.

Question proposed "That these words be there inserted."

The CHANCELLOR OF THE EXCHEQUER: Sir, I have heard with considerable pleasure the address of my hon. Friend the Member for South Lincolnshire in moving his Amendment to the Address moved by my hon. Friend the Member for Wolverhampton. I am glad to find that, on almost every point, there is little difference of opinion in this House. I am glad to find that there is an almost unanimous concurrence in the spirit of the Address. I am glad to find that upon the subject of the disease that unfortunately appeared in this country last year, the House approves the precautions taken by the Government for preventing the spread of that dreadful visitation; and that their best attention will be given to any further measures of this description that may be considered necessary. I am glad, also, to hear from my hon. Friend a disclaimer of that intemperate and ill-judged language which has been used of late in some public meetings in this country—language which, as my hon. Friend observed, can only be injurious to those who indulged in its utterance. I am also glad to find that my hon. Friend has moved the Amendment in the terms he has done. There can be no mistake whatever as to the meaning of the Amendment he has proposed. He says, that he means to urge upon the House the reconsideration of its recent legislative enactments. He proposes to the House that they should reconsider the Act which we believe has contributed much to the welfare of the country, but to which he believes all its distress is owing. And I am glad that upon this, the first night of the Session, that great question is to be brought at once to issue, and that the deliberate opinion of this House is to be called for, and, I trust, expressed, upon the question whether we are to retrace our steps—whether we are to follow the advice of my hon. Friend, and reconsider our recent legislation, or whether we are (as I hope and trust we shall resolve by a great majority of this House to do) to persist in the same course of legislation to which the present prosperity of the country is in a great measure owing

I have not heard from my hon. Friend any question as to the prosperity of the trade and manufactures of the country. I perceived in the requisition for calling the meeting in Lincolnshire, to which my hon. Friend alluded, that the farmers of Lincolnshire did not confine themselves to the allegation of the distress of the agriculturists, but included also the distress of the trade and manufactures of the country. I hope that they have been, ere this, convinced of their mistake in that respect. Every hon. Gentleman in this House connected with trade or manufacture would bear me out by their evidence as to the satisfactory condition of trade. They would state that, from one end of the country to the other, trade is in a flourishing condition, and commerce in a state of steady advancement—that the people are universally well employed. And, without indulging in any sanguine anticipations, I am fully borne out in stating that trade and manufactures appear to be in a state not only of present, but of progressive improvement. I have looked over many of those trade circulars which houses in considerable business are in the habit of sending about this time of the year to their customers, both at home and abroad; and I shall indeed be surprised if any one can state to this House that the allegations contained in one of them, which I have here, are erroneous. I shall quote very shortly from it, for the purpose of showing the course of trade during the last twelve months. And I must here observe that it appears to be from one of those houses which are the least sanguine in their language or expectations. It states—

> "The year we have just closed was begun by most commercial men with the confident expectation that it would prove the commencement of better times . . . but it was soon perceived that the disturbing elements, far from being extinct, were still smouldering below the surface, ready to burst forth with more intense violence in different parts of Europe. While a renewal of hostilities on the Continent became inevitable, news from India of an unfavourable tenor reached us early in February, the effect of which was that the slight improvement in trade, scarcely begun, was again checked. . . . In this fluctuating and unsatisfactory manner we reached the month of March, which was one of the quietest business months we experienced during the past year; the fear of a reblockading of the Elbe and adjoining rivers caused an almost total suspension of business to the Continent."

Now, Sir, I remember that when I mentioned that very fact at the time to the right hon. Member for Stamford, he thought it quite impossible. The circular goes on to state that the home trade had not been so good, but that lately a much better home market had sprung up; and, if the people continued to be kept employed, of which there was little doubt now, a much better home trade was to be expected than had been known for many years. And, Sir, it is remarkable that the Excise revenue of Great Britain fell during the first two quarters of the last year, and increased during the two last quarters, whilst in Ireland it fell during the first three quarters, that is to say, there was a diminution in the consumption of exciseable commodities in Ireland during the first three quarters, and an increase in the last quarter of the past year compared with what the amount had been for the corresponding period of the preceding year—

COLONEL CHATTERTON: There is a diminution on the whole year.

The CHANCELLOR OF THE EXCHEQUER: Yes; I said so. I said there was a diminution upon three quarters of the year, and an increase upon the fourth and last quarter only. But it shows that some improvement, even in Ireland, has begun; and that there is ground for hoping that the anticipation of the hon. and gallant Officer opposite will not be realised. But I will particularly call the attention of my hon. Friend the Member for Warwickshire to the statement which he made—and which was repeated by the hon. Member for Buckinghamshire — when they said more than once in the course of last Session, that the trade and manufactures of the country were in an absolute state of ruin. It was in vain that hon. Gentlemen on this side of the House attempted to set them right. The hon. Gentleman the Member for Warwickshire took up the table of exports and imports, and said that the trade there set forth was an annual dead loss to the commerce of the country. I ventured to say that the small demand for exports from this country in 1848 was mainly owing to the troubled state of the Continent. So says the circular which I have just read. But the hon. Member for Warwickshire maintained that I was entirely mistaken upon the subject, and that the disturbed state of the Continent, so far from diminishing our trade, had increased it, by causing a greater demand for our goods. What has happened since then? In the course of last year the state of the Continent has been much more settled. What, then, has been the effect upon our own exports? What was the amount of British manufactured articles sent abroad? Why, if it were true, as hon. Gentlemen opposite say, that the prosperity of the country is wholly to be measured by exports—if we are to pay no regard whatever to imports — why, there never was a year of such extraordinary improvement in trade as the last. Month after month the declared value of our exports increased from one end of the year to the other, as compared with the corresponding months of the preceding year; so that when we come to the aggregate value of the imports of last year, as compared with 1848, we find an increase of little less than 10,000,000*l.* I take the declared value of our exports for the last three years. In 1847 it amounted to 51,000,000*l.*; in 1848, to 48,946,000*l.*; and in 1849, to 58,848,000*l.* And yet during this last year the Continent has become tranquillized; so that, if the views of hon. Gentlemen opposite had been correct, our exports ought, instead of having greatly increased, to have greatly diminished. I dwell on this topic the longer, and for this reason — because, when Gentlemen have indulged in such very confident predictions as to the ruin of a trade or interest, and when their statements turn out to be so unsupported by fact, and so negatived by experience, I think I have a right to call, not only upon the House, but on those who might have been disposed to place faith in the hon. Gentlemen's predictions, to be more chary in their belief for the future, and not to be so easily frightened at prophecies of ruin. But I proceed to place before the House some details of the improved condition of our trade and manufactures. I have taken from the account of exports for the two years some of the most important items, and the following is the result of a comparison of the quantities exported in those periods :*— I have thus gone through the principal articles of manufacture; and I think it will be admitted that the increase has been extraordinary, and far beyond what anybody could have anticipated. But the hon. Member for Bucks says, "True, you send out a greater quantity of goods, but at prices so low that the labour is not remunerated — the trade is a losing trade." Now, I do not know that the manufacturers are persuaded of the truth of this; but on referring to a document periodically published—I mean *Burn's Glance at the State of the Cotton Trade*—I find that in every item the prices of manufactured and exported articles have risen. I have here a list of the average prices of the goods exported in 1848 and 1849. I find that colicoes printed have risen from 9*s.* to 10*s.* 3*d.*; calico plain, from 6*s.* to 6*s.* 9*d.*; cambrics, from 6*s.* 9*d.* to 7*s.* 6*d.*; mixed cotton and linens, from 9*s.* to 9*s.* 6*d.*; dimities, from 19*s.* 6*d.* to 21*s.* 3*d.*; damasks and diapers, from 18*s.* 6*d.* to 20*s.* 9*d.* The list is a long one: I need read no more of it, as I hope the House will accept my statement, that in every item the price of 1849 is higher than the price of 1848; so that we have had the double benefit of increased exports and higher prices. My hon. Friend who moved the Address has gone into the question of the effect of the repeal of the navigation laws upon the shipbuilding of this country. There again the anticipations entertained by those who opposed the repeal of these laws, urging that any such measure would destroy our shipbuilding trade, and that no foreign country would be found to re-

EXPORTS OF BRITISH AND IRISH PRODUCE AND MANUFACTURES IN YEAR ENDED 5TH JANUARY.

ARTICLES.	1849.	1850.
Cotton manufactures entered by the yard ....yds.	1,096,751,823	1,335,654,751
Cotton yarn ......lbs.	135,831,162	149,502,495
Earthenware.. pieces	53,286,076	61,605,916
Haberdashery and millinery..... value	£927,603	£1,183,229
Hardware and cutlery...........value	£1,860,150	£2,198,597
Leather unwrought ....cwts.	9,436	16,192
Gloves.......... lbs.	10,475	15,314
Linen manufactures entered by the yard............ yds.	89,002,431	106,889,558
Linen yarn .... lbs.	11,722,182	17,668,618
Metals:—		
Iron wrought..tons	83,606	121,935
Silk manufactures:—		
Silks only— stuffs, &c. ....lbs.	204,483	358,343
Mixed—stuffs, &c. .... lbs.	206,665	404,417
Silk thrown.......lbs.	45,693	105,334
Woollen manufactures:—		
Entered by the piece...... pieces	1,755,099	2,372,345
Entered by the yard......... yds.	32,250,822	50,613,578
Stockings, doz. pair	88,201	164,645
Woollen yarn, cwts.	75,260	105,340

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* See Table in following column.

ciprocate the advantages so offered, have been signally falsified. I have here returns from all the shipbuilding ports in the kingdom; and I find that with one exception—the port of Greenock—an exception which can be explained upon local grounds, that, with this single exception, the amount of shipbuilding is uniformly as great, at the very least, as it was during the year before; while in many of the principal ports—in Sunderland, Shields, and some of the Scotch ports—the amount of shipbuilding going on is greater than has marked any former year. And there is a circumstance, too, well worthy of observation in reference to this part of the subject, and that is, that a better class of vessels than were formerly constructed are now being built—a class calculated for what is called the "long voyage." Now it was in reference to what is called the long voyage, that it was anticipated that the repeal of the navigation laws would mainly deprive us of the advantages we enjoyed; and yet we see that our shipbuilders are so little afraid of this, that they are increasing the number of ships especially calculated for this voyage. But there are two other facts of striking import in connexion with this part of the subject. One of these is, that parties who have gone from this country to Baltic ports in order to ascertain whether they could build ships cheaper there than here, have come back with the conviction that they could build them cheaper here; and indeed we are at this moment building ships for foreign countries in the Clyde. The other fact is the one alluded to in Her Majesty's Speech, that intimations have been received, from which there is every reason to believe that almost all the maritime Powers of the Continent are preparing to make such relaxations in their navigation laws as will admit our ships, more or less, to the benefit which we have already bestowed upon theirs. I quite concur with my hon. Friend who moved the Address in believing that foreign countries are looking with great interest on the recent legislation of this country. They long believed that our maritime and commercial greatness was owing to our old system of protection; and when they see that, on the other hand, more rapid improvement in our trade and commerce has followed the relaxation of those laws, we have now every reason to hope that a relaxation of their commercial codes will follow the course of legislation in which we have recently been engaged. I now turn to that branch of the subject which is more specially brought under discussion by the Amendment of my hon. Friend opposite—I mean the state of the agricultural interest. Now, I should be deceiving the House were I not to admit, candidly and at once, what, indeed, is stated in the Speech from the Throne, that to some extent, and in some parts of the country, distress among the holders and occupiers of land does exist, and that to a considerable degree; but I utterly deny the expediency or the wisdom of retracing the legislative steps which we have taken. I believe, I say, that distress to some extent exists. A certain degree of distress is indeed the inevitable consequence of such a change in the law as we have made; but I rely on the industry and the energy of the British farmer to overcome obstacles arising from a fall in price—obstacles which he has already, on several occasions, and to a far greater extent than at present, met and surmounted. I believe that it is principally amongst the smaller class of holders that the distress in question exists. I lament that amongst those agricultural labourers who have been discharged, distress also prevails; but I am quite confident that all those who remain in employment find their condition to be very much benefited, while I think I shall be able to convince the House that the actually existing amount of distress has been considerably exaggerated. I admit that in the county of Lincoln there has been an increase of persons relieved; but I confidently assert, taking England generally, that in a majority of even the agricultural counties, there has been a diminution of distress and diminution in the numbers depending on the poor-rates. And here let me remark, that I am not astonished that some distress should prevail in agricultural districts. I never thought, and never said, that a great change could take place such as we have made, without causing some degree of suffering to the agricultural interest. A great branch of productive industry has been called upon to increase and cheapen its products. Sir, I know of no improvement in any trade or branch of industry which has not at first caused some degree of suffering, by which some parties have not been thrown out of employment, although the ultimate result has been a great benefit to the community and the world. But, Sir, it by no means follows, because that is the case, that such improvement should not take place; and I may add that I lay far more stress on what individuals can do than on what legislation can do to mitigate the severity of the present pressure. At the same time, however, it is my belief that the alarm existing is not warranted or justified by the facts which have actually taken place, and that the amount of alarm and discouragement existing has been much exaggerated by language which I have heard used with very great regret. Reference has been made to falls of price which have taken place in former years in this country; and the hon. Gentleman who moved the Amendment has pictured the degree of distress existing at former periods in his neighbourhood—a degree far exceeding, I venture to say, that which generally exists at the present moment. The hon. Gentleman referred to the price of 1822. That year was marked by an extraordinary fall of price, although there then existed a law professing to secure a price of 80*s.* per quarter. Recollecting that fact, I cannot think but that the hon. Member must entertain some doubts as to the probable success of the remedies which he now proposes to apply. In 1817, the price of corn was 96*s.* 11*d.* During five consecutive years thereafter it fell at the rate of about 10*s.* per year. By 1822 the price had fallen nearly 50 per cent, and under a corn law professing to secure 80*s.*, the prices ranged from 86*s.* 3*d.* in 1818, to 44*s.* 7*d.* in 1822, the average price of the five years being 65*s.* 10*d.* But the hon. Gentleman said that there was hope then—hope, I presume, of a return to those high prices which legislation professed to ensure. Why, no such return took place. In 1829, five years afterwards, a corn law was passed—passed with some opposition indeed from the agricultural party—the avowed object of which was to ensure a price, not of 80*s.*, but of 64*s.* Well, what happened under that law? In 1831 the price of corn was 66*s.* 4*d.*; in 1835 it was 39*s.* 4*d.* It fell at the rate of 6*s.* 9*d.* per annum for four consecutive years, descending almost, but not quite, as much as 50 per cent. In 1839 the price was 70*s.* 8*d.*; in 1845 it was 50*s.* 10*d.* In 1847 the price was 69*s.* 9*d.*; and in the month ending November 24, it had fallen to 40*s.* 8*d.*, and is now under 40*s.*; and surely, therefore, the agriculturist need not apprehend ruin now because a fall takes place actually of smaller amount than those with which they have had at several times to contend—occasions on which their industry and energy triumphed, as their industry and energy will, I am confident, triumph again. But I deny that the present fall in price is to be altogether attributed to the repeal of the corn laws, and I can show what I consider good reasons for holding that opinion. In the first place, we have had a very large harvest at home. It is not very easy to ascertain exactly the produce of different years, but one of the greatest cornfactors in Liverpool estimates that the produce of last year's harvest was 30 per cent greater than that of the year 1848. Now that increased quantity of corn must in no small degree have contributed to reduce prices. But in a neighbouring country, in France, there has been no repeal of corn laws, and yet the prices there have fallen to a greater degree than has been the case in this country. In 1847 the price of corn in France was 69*s.* 7*d.* The lowest duty at which corn can now be imported into France is 25*s.* per quarter, and in November last the price was 33*s.* 7*d.*, showing a fall of 36*s.* France also has had the benefit of English demand, having sent to this country upwards of 700,000 quarters of wheat. In England the fall of price from 69*s.* 9*d.*, in 1847, to 40*s.* 8*d.*, the average price of November, was only about 29*s.*, being less than that in France. In that country the fall cannot by any possibility be attributed to any alteration in their corn laws, and I cannot see, therefore, why a less fall in this country can be attributed to no other source than the repeal of our law. But I agree with my hon. Friend the seconder of the Address, that the present is not to be taken as the permanent price which corn will maintain in this country; and I will add, that, great as my estimate is of the benefit to be derived by the body of the people from cheapness and plenty of corn, I am not insensible to the evils produced by a great fall in price taking place suddenly, and causing a widespread discouragement amongst farmers. But I repeat my conviction that the alarm has been greatly exaggerated. I find the *Mark Lane Express* stating that the prices in the Baltic ports are rising so high that exportation to this country would no longer pay. It is a curious fact, too, that the only country from which wheat is being brought at present is France—in ordinary years not an exporting country. I think then, if this be so, that there is good reason for supposing that the permanent prices of wheat in this country will not range so low as they have stood for some time. The importation has already received a considerable check. Corn which had been sent here under the expectation of higher prices, is necessarily entered for consumption, being actually in our warehouses; but the entries for this year far exceed the importations. The quantity of grain of all sorts imported into this country in the year 1849, is 9,673,000 quarters, whilst the quantity entered for home consumption is 10,655,000: the flour and meal of all sorts imported is 9,479,000 cwt., whilst the quantity entered for consumption is 4,055,000 cwt. The importations, too, for the last six months of the year, are very far below those of the last six months of 1848. In that year, in the six months ending January 5, 1849, there were imported 2,298,000 quarters; in the six months ending the 5th of January last, they were 2,073,000 qua ters; and the falling off in the last three months of that period is still more remarkable. In the last three months of 1848, the quantity imported was 1,438,000 quarters; in the last three months of 1849, 845,000 quarters; showing a diminution of 592,000 quarters. The importations have fallen off most remarkably also during the month of January. In the first week of 1849, it was 246,588 quarters; in the first week of this year it was only 83,952 quarters; in the second week of 1849, it was 275,341; in the second week of this year 92,658; in the third week 303,310 quarters, against 82,615 quarters; in the fourth 293,419 quarters, against 77,670. It is extraordinary to what an extent the importation has fallen off; but it affords, I think, a conclusive proof that the present price of corn does not pay the importer, and that the agriculturist has good reason to expect that so low a price cannot continue for long. What prices wheat may permanently command, it would be rash in me to attempt to predict, especially after the great mistakes upon the subject into which the most sagacious and practical men have fallen; but it is not a little remarkable that from all the countries with which we were threatened, the importation has been very small indeed, while the greatest quantity imported has come from a country from which no one anticipated any supply whatever. The hon. Member for Somersetshire, at a recent agricultural meeting, predicted a rate of 44*s.* as one which he thought likely permanently to prevail; and I do not think that agriculture must necessarily be ruined even should he prove right in his anticipation. It was once believed that a price of 80*s.* was necessary for the remuneration of the owner and occupier of land. Then they were satisfied with prices at 64*s.* And in 1842 a rate of 56*s.* was talked of. Taking the three years subsequent to that period, the average price of corn was 50*s.* 8*d.*; and it was not till 1846, when the potatoes had failed, that the price reached 54*s.* 8*d.* These prices were invariably lower than those contemplated by the Legislature. But has agricultural distress always existed since 1815? Has land gone out of cultivation since then? On the contrary, has not capital been expended, largely expended, on the land since 1815? The hon. Member for Lincolnshire has stated that since 1815 a great amount of capital has been expended upon the soil—that the production has been greatly increased—and that a great extent of waste or outgrowing land has been converted into wheat-producing land. Although the prices of corn, then, have fallen from what were then supposed to be remunerative rates—namely, 80*s.* per quarter—to 50*s.* per quarter and under, yet the rental of the land has increased since 1815. There is only one county in England in which the rental of the land is shown by the income-tax returns to be lower than it was in 1815, although corn has in the meantime fallen from 80*s.* to 50*s.* If it be so—if energy and industry have enabled the farmers of England as a body to pay more rent with prices at 50*s.* than with prices at 80*s.*, what is there to prevent that self-same industry and energy successfully meeting the demands of the great mass of consumers at prices ranging somewhere between 40*s.* and 50*s.*—prices I think likely to prevail? It is by increased produce that the difficulty is to be surmounted; and there is nothing I should more wish to see than this country growing a sufficient quantity of corn for its own supply—a result which I believe may be yet arrived at. I have ever tried to disbelieve that the great body of the landed proprietors of England looked upon this question of national food simply as a question of rent. But I have stated that it was possible that any attempt to bring back protection would be treated and met as an attempt to keep up high rents; and it is therefore with the greater sorrow that I have seen, at different agricultural meetings throughout the country, language used by landed proprietors themselves, identifying the protection which they call for with the preservation of high rents. After holding such language as they have done, I must say I think they can have no reason to complain if their rents are not paid. I have recently read a powerful article in a northern periodical, in which it is contended that it is impossible to carry on farming in Scotland under a system of free trade. But I have also made inquiries into the subject of farm-letting in Scotland, and I find that the rents of Scotch farms generally have not been reduced. In one or two instances they have been increased. Without attaching much importance to raising the rents of such farms, I think it is true generally that farms in Scotland now maintain the same rent which they have borne before. What value, then, is to be attached to the argument that it is impossible to cultivate farms on these terms? Do you think that farmers of great experience, possessing great capital, and being actuated, as we must suppose, by feelings of common honesty, intend either not to pay the rent which they agree to pay, or mean to submit to a loss? I find repeated cases of a similar description in this country, and parties who openly state that at present prices they have made a fair profit on their farms. I read a letter the other day in the papers, addressed by the high sheriff of the county of Norfolk to his tenants, in which he states that in spite of the disadvantages under which the system of gentlemen-farming is supposed to labour, he has realised a good rent and a profit into the bargain. This gentleman says—

> "In my own occupation of about 580 acres (of which 100 acres, as my steward testifies, yield no profit), notwithstanding the great disadvantages under which a gentleman must always farm, and although I have sustained a loss of five score stock ewes, I have, up to St. Michael last, not only made my rent, but more than obtained 10 per cent for my capital invested in live and dead stock."

Now, if one gentleman can point to such results, I do not see why others should not do the same. I confess that when I hear persons of credit and station speak in this manner, I cannot despair for the British farmer, or feel doubt that he will be able to meet the demands which may be made upon him. It is my firm conviction that, taking the country throughout, and looking more especially at the condition of the labouring classes, a signal benefit has been derived from the cheapness and plenty of food resulting from free-trade legislation. The manufacturing and trading classes of the community have assuredly benefited by such legislation, and no less so the majority of agricultural labourers, who, after all, form the great mass of the agricultural community. Let me now observe, in answer to the argument used in this House, that it is of no use rendering food cheap, for the effect of so doing is to deprive labour of employment, and take away the means of purchasing such food. This argument was constantly pressed upon us last year; now what is the fact? We have imported to an unexampled extent, but we have not only imported, but we have consumed what we have imported. On an authority which I presume hon. Gentlemen opposite are not disposed to dispute—on the authority of the *Mark Lane Express*—I find it stated that, notwithstanding the enormous imports of the last twelve months, at the end of the year the stocks on hand are but light—that those stocks are diminishing—that the people have found means of paying for the food so imported, and have been benefited by the large importations and increased consumption. It follows, therefore, that the people have derived benefit from the law we have passed, the object of which was to insure a large and cheap supply of the necessaries of life—and have not been deprived of the means of purchasing food, and have not, according to the predictions of hon. Gentlemen opposite, been starving in the midst of plenty. This is, after all, the main element in the consideration of this subject. The ground taken in this House last year, had, if it had been true, some shadow of reason in it. It was contended that large numbers of persons would be thrown out of employment, and that, although there might be cheapness arising from our legislation, it would be counterbalanced by those evils which attend a diminution of employment. In the county of Lincoln, it appears there has been an increase in the number of persons relieved; but taking the whole of England, and including the great majority even of the agricultural counties, it will be found that a diminution in the amount of relief has taken place; and, what is still more striking, a diminution in the amount of relief to the ablebodied. I confess that I saw with the greatest possible pleasure the Address emanating from a noble Lord on a recent occasion in one of the southern counties. We know well that if any counties were likely to suffer more from agricultural distress than others, it is the southern counties. In Kent and Sussex I should have anticipated such distress;

but I find that the noble Lord to whom I have referred (Lord Chichester), whose character is above reproach—I find that noble Lord not addressing a county meeting, or popular assembly, but the grand jury of the eastern division of the county of Sussex, from the judicial bench, using language to this effect:—"It was," his Lordship observed, "very satisfactory to find that agricultural labourers pursued their usual avocations, and that when the pressure upon farmers was greater than at other seasons, so few labourers were unemployed. He thought they might conclude thence that there was no great dearth of employment from the fact that the number of offenders from the agricultural districts was so small. Another source of congratulation arose from this—that the workhouses were by no means full, and the number of ablebodied paupers was far from being so numerous as they generally were at this season of the year. These facts were worthy of consideration. It was highly creditable, and must be satisfactory to the farmers and to the country generally to know, that notwithstanding the great difficulties and pressure with which they had been surrounded, they had taken the best and wisest course, both for their own interest and that of the community, in keeping their labourers honest by affording them regular employment. They all knew, however, that they could not employ men unless they had the means of paying them. It was a well-understood fact that there was plenty of agricultural employment in the county, if the farmers had sufficient capital to carry it out. He was of opinion that the landlords and tenants would find that the course they had adopted in providing employment for their labourers was not only their duty, but that it would tend to benefit them and their property." Such has been the language recently held by this nobleman. I was sorry to hear my hon. Friend state that a similar course has not been pursued by the owners and occupiers of land in Lincolnshire. But I am thankful to say that the case of Lincolnshire is one of the few exceptions to the general rule throughout England and Wales. I will now state the expense of maintaining the poor at different and recent periods. The expenditure for the relief of the poor in England and Wales for the year ending Lady-day, 1848, was 6,180,000*l.* In the year ending Lady-day, 1849, the amount expended was 5,792,963*l.*; or a diminution of 287,802*l.*, or 6 3-10ths per cent. Now this was the year in which in his speeches of last Session the hon. Gentleman the Member for Buckinghamshire said there was great agricultural distress. There has been an increase in expenditure on account of the poor in only five counties; and those were counties where the distress could not be attributed to the state of agriculture—Middlesex, Warwickshire, Westmoreland, the West Riding of Yorkshire, and Anglesea. Comparing the expenditure of 558 unions for the half-year ending Michaelmas, 1848 (the others are not audited), with the expenditure for the half-year ending Michaelmas 1849, the sum expended in the first half year was 1,750,000*l.*, and in the last 1,653,000*l.*, being a diminution of 97,000*l.*, or 5 5-10ths per cent. These accounts are, I think, satisfactory enough, as regards the diminution of expense; but I admit that they are open to the objection that the diminution of expense is owing to the greater cheapness of food. This could be no inconsiderable advantage in itself, but it is not conclusive. I do not rest my case on the diminished expenditure; but I will appeal to a more decisive and undeniable test, and that is the number of persons receiving relief at corresponding periods of the last and of the preceding year. The President of the Poor Law Board has had prepared a statement of the number of persons relieved at different periods. The number of persons relieved on the 1st of July, in 538 unions in England, and 42 in Wales, was, in 1848, 892,655; in 1849, 827,150, showing a diminution of 65,505 persons. The number of persons relieved in 560 unions in England and Wales, on the 1st January, 1849, was 987,164; on the 1st of January, 1850, only 923,167, exhibiting a diminution of 63,997, or of 6 4-10ths per cent. Estimating, for the few remaining unions, at the same rate, it would appear that there had been a diminution of numbers of 70,409 persons relieved in January, 1850, as compared with January, 1849. But the diminution of ablebodied persons receiving relief is still more remarkable and satisfactory. Any discharge of labourers would, of course, have increased the number of ablebodied persons out of work, and driven them to the relief lists. Such was the effect anticipated; but I am most happy to say, that the result has been precisely the reverse, and that the decrease of the ablebodied persons receiving relief is proportionally greater than that of other parties. In 590 unions, the number of ablebodied persons relieved on January 1, 1849, was 201,644; in January, 1850, 170,502, showing a diminution of 31,142, or 15 4-10ths per cent of ablebodied persons. This is so important a point, that, even at the risk of wearying the House, I must be permitted to insist more fully upon it; and, that the case may be complete, I will state the per centage increase and decrease of persons relieved, and of ablebodied persons relieved in every county in England and Wales. There are fourteen counties in England in which there has been an increase, and twenty-eight in which there has been a decrease in the number of paupers relieved, and hon. Gentlemen will see that this implies a considerable reduction. The 14 counties in which there had been an increase in the total number of paupers were:—Westmoreland, 0.2 per cent; Rutland, 0.2; Devon, 0.3; North Riding, 0.5; Worcester, 0.9; Essex, 2; Kent, 2.3; Cambridge, 3.2; Huntingdon, 4.8; Stafford, 5; Durham, 5; Suffolk, 6.5; Lincoln, 7.3; Northumberland, 7.5. The 28 counties in which there was a decrease in the number of paupers, and the rate of decrease, were—Salop, 0.6; Norfolk, 0.6; Monmouth, 1.2; Northampton, 2.9; Oxford, 3.1; Somerset, 3.3; Sussex. 3.6; Southampton, 3.9; Cornwall, 4; Berks, 4; Warwick, 5; Buckingham, 6.4; Wilts, 6.5; Dorset, 6.9; Glocester, 7.1; East Riding, 7.3; Surrey, 9.1; Hertford, 9.4; Hereford, 9.9; Chester, 10.3; Bedford, 11.3; Middlesex, 11.4; Derby, 11.4; Cumberland, 12.3; Nottingham, 13.5; Leicester, 14.4; West Riding, 22.7; Lancaster, 22.8. In Wales six counties exhibited an increase, and six a decrease. I may state generally, that of the twenty-eight counties which exhibited a decrease in the number of persons relieved, a majority were agricultural. I am now come to what must be admitted as a most important test of the condition of the country—the number of ablebodied poor in the receipt of relief; and I am happy to find that instead of there being fourteen counties in which the number has increased, and twenty-eight in which it has decreased, there are only seven in which the number has increased, and thirty-five in which it has decreased. The greatest increase was in Suffolk, in which it was 17.1 per cent. In Huntingdon, it is 14.9; Lincoln, 10.8; Northumberland, 9.4; Rutland, 8.3; Durham, 5.8; Essex, 2.7. The counties in which there is a positive decrease are as follows:—Norfolk, 0.3; Worcester, 0.6; Kent, 1; East Riding, 2.1; North Riding, 3.7; Cambridge, 4.2; Southampton, 6.1; Dorset, 7.9; Sussex, 8.2; Buckingham, 8.7; Salop, 9.1; Stafford, 9.5; Devon, 10.3; Northampton, 10.5; Westmoreland, 11.8; Somerset, 13.6; Oxford, 14.6; Wilts, 14.7; Glocester, 15.2; Middlesex, 16.2; Berks, 16.8; Hereford, 17.8; Hertford, 18; Cornwall, 19.6; Surrey, 19.8; Leicester, 23.9; Cumberland, 24.3; Derby, 25.2; Chester, 25.2; Nottingham, 25.6; Bedford, 28.3; Monmouth, 29.8; Warwick, 32.6; West Riding, 37.2; Lancaster, 37.2; totals of 548 unions, 16.5. In Wales there is an increase in four counties, and a decrease in seven. The counties in which there is an increase were as follows:—Glamorgan, 28.5; Carmarthen, 8.8; Montgomery, 6.9; Pembroke, 6.9; totals of 42 unions in Wales, 3.2. The counties in which there was a decrease were these:—Flint, 25.6; Denbigh, 25.5; Merioneth, 2.9; Cardigan, 2.3; Brecon, 1.8; Anglesea, 1.7; Carnarvon, 0.7. Throughout England, and including Wales, the total diminution in the number of ablebodied persons relieved has been 15 4-10ths per cent up to January last. Now how is this enormous diminution in the number of persons relieved in the great majority of agricultural counties to be accounted for? I ask whether the agricultural labourer, as well as the interests of commerce and manufacture, has not derived signal benefit from that cheapening of produce which has been secured? From the facts I have stated—and they are facts beyond dispute—I think I am justified in drawing the inference that cheapness of food has been found to confer a great and signal benefit. And taking the condition of the poor alone, and resting my whole position on that, I say it would not be expedient or wise to reconsider or repeal our recent legislation. My hon. Friend stated that there was observable a most satisfactory diminution in the number of persons receiving relief in Ireland. It appears there is a net decrease of 295,000 persons receiving relief as compared with last year. I am happy to find, from information derived from different parts of the country, that not only the owners but the occupiers of land in many agricultural districts are draining their lands, and introducing new improvements, and exerting themselves in every possible way to effect what must be effected—an increase of production. It is satisfactory to receive such information, although it is only what I expected; for I could never believe that the energies of the British farmer would be paralysed; but, on the contrary, I felt convinced that he would show himself prepared to bear up against the pressure, and overcome it. At most of the various meetings which have been held, it is gratifying to find that some one has stood up and stated that, even at present prices, a profit might be made. One gentleman said, that with no greater outlay, but simply the application of more labour, he had obtained a better profit from his farm at present prices than at former ones. My hon. Friend the Member for Lincolnshire has stated truly that one branch of British agriculture, the producers of wool, at least, are suffering no depression. I expected that my hon. Friend might have been induced to see some symptoms of hope for improvement in other branches of industry from a similar cause, the increased and increasing demand of the manufacturing districts for agricultural produce. Considering, however, the Amendment he had to propose, he could not, perhaps, perceive symptoms which, under other circumstances, might have occurred to him. Under other circumstances, perhaps, my hon. Friend will see in the improvement of manufactures a promise of improvement in the condition of agriculture. Now, it is not only the home demand for wool which has risen, but the export of British wool has increased to an extraordinary extent. The quantity exported in 1848 was 3,978,842 pounds; in 1849, 11,083,645 pounds. In the last year, also, when the imports of butter and cheese had fallen off, the exports of British butter and cheese increased. I do not think it necessary, however, to pursue this part of the subject further. I have stated that I do not think the agriculturists have that reason for despair which they seem to think they have; and as for the argument that protection should be restored on account of the condition of the working classes and of the agricultural labourers of England, I think it will be admitted that those classes are in a better position than they were last year, and that there are fewer persons now in receipt of relief than then. I will now turn very shortly to a consideration of the general state of the country, as evidenced by our home consumption. I find that with the exception of coffee, which has fallen off in some degree, the consumption of almost every article has increased. This increased consumption has occurred in the articles of cocoa, rum, brandy, tea, and others. Cocoa, for instance, has increased from 2,936,641lb. in 1848, to 3,233,372lb. in 1849; rum, from 2,987,492 gallons in 1848, to 3,044,758 gallons in 1849; brandy, from 1,609,557 gallons in 1848, to 2,187,500 gallons in 1849; geneva, from 23,765 gallons in 1848, to 27,209 gallons in 1849; tea, from 48,735,696lb. in 1848, to 50,024,688 lb. in 1849; tobacco (unmanufactured), from 27,098,314lb. in 1848, to 27,480,621 lb. in 1849; wine, from 6,369,785 gallons in 1848, to 6,487,771 gallons in 1849. The imports of salt beef and pork have somewhat increased; but not more, I think, than to counterbalance the diminished importation of pigs from Ireland, which, comparing the last six months of each of the last four years, has been—1846, 203,224; 1847, 45,664; 1848, 30,414; 1849, 28,640. I will now refer to the consumption of another article, which, owing to peculiar circumstances, had fallen off—it was the article of sugar, which, in a remarkable manner, had contradicted all the predictions of those who opposed the relaxations introduced by the Government. The delay which was interposed in passing in the summer of 1848, certain resolutions which I proposed as to foreign sugar, caused a forced entry of foreign sugar in the month of July in that year, and therefore the entries of foreign sugar in the two years do not afford a fair comparison; but the whole falling-off in the quantities cleared for consumption has occurred, not in colonial, but in foreign sugar. The consumption of West India has increased from 2,771,148 cwt. in 1848, to 3,070,273 cwts. in 1849; Mauritius from 812,808 cwts. in 1848, to 997,541 cwts. in 1849; East India from 1,352,599 cwts. in 1848, to 1,356,548 cwts. in 1849; whilst foreign had decreased from 1,225,866 cwts. in 1848, to 497,764 cwts. in 1849. Nor has the increased entry of foreign spirits depressed the home trade. In the quantity of British spirits which has paid duty for consumption, there has been an increase; for in 1848 they amounted to 22,202,379 gallons, and to 22,920,000 gallons in 1849. The quantity entered for consumption in Ireland had fallen off upon the year; but there has been an increase upon the last quarter ending January 5, for in 1848 it was 287,969 gallons, whilst in 1849 it amounted to 312,696 gallons. There was only one other subject of importance to which he would refer, and that was to raw materials, which were the means of providing employment for our labouring population. I have not the returns for the whole year, but on the eleven months ending December 5th in each year, the following were the results :—

Articles.	1848.	1849.
Indigo.................. cwt.	56,822	79,976
Madder .... „	65,382	61,638
Madder root .... „	119,312	141,017
Flax .... „	1,315,599	1,676,512
Hemp, undressed ... „	698,264	911,120
Hides, untanned, dry „	96,435	122,187
Ditto ditto wet „	320,806	506,294
Ditto, tanned .... lbs.	953,173	1,545,214
Iron, unwrought...... tons.	21,608	24,542
Lead, pig and sheet... „	3,293	6,902
Spelter .... „	11,120	14,964
Tin .... „	4,480	27,326
Oil, olive................ „	7,125	15,191
Quicksilver .... lbs.	1,504,639	2,229,458
Silk, raw................ „	3,645,371	4,303,610
Wool, cotton .... cwt.	5,769,256	6,255,663
Ditto, sheep .... „	60,800,579	70,204,837
Ditto, Alpaca .... „	944,769	1,163,317

This table justified the reflection, that whilst the people had been employed in the last year, means had been afforded to them for a continuation of that employment. It had been said that large imports of copper ore, consequent upon removing restrictions, would be fatal to the copper miners of this country. The reverse had been found to be the fact; and I have the satisfaction of saying, that the accounts from the mining districts of Cornwall were exceedingly satisfactory. Employment was brisk, and wages were good. The exports of British copper, for example, in bricks and pigs, had increased, in the eleven months ending January 5, from 85,224 cwts. in 1849, to 153,397 cwts. in 1850; of wrought copper, from 5,156 cwts. in 1849, to 17,835 cwts. in 1850; and the exports of brass of all sorts from 13,094 cwts. in 1849, to 23,636 cwts. in 1850. In fact, there was scarcely an article of any sort or kind as to which ruin and distress had been predicted from admitting foreign produce, which had not utterly falsified that prediction by the facts of increased production at home, increased exportations, and increased employment. The state of the shipping trade afforded exactly the like testimony. Taking the eleven months ending December 5, it would be found that the number of ships entered inwards in the year 1848 had been 24,949, of 5,059,000 tons; whilst in 1849 there were 28,946 ships, of 5,678,000 tons; and the number of ships cleared outwards in 1848 were 23,394, of 4,678,000 tons; whilst in 1849 these were increased to 25,660 ships, with a tonnage of 5,120,000 tons. From the situation I have the honour to fill, my statement would naturally not be complete if I closed it without reference to the condition of the revenue. I am happy to say, there has been an improvement in every branch of the revenue to a greater extent than I had expected. The result of the year, partly owing to increased production, but still more to reduced expenditure, left an excess of income above expenditure upon the year ending the 5th January last, of 2,098,000*l.* The amount of gold in the Bank was another satisfactory sign, for it amounted in round numbers to 17,000,000*l.*, against 15,000,000*l.* in the corresponding period last year. This fact sufficiently rebutted the assertion that it was impossible to have a large import of corn with an increase in bullion. It had been said that much of this amount might be owing to importations from California ; but I do not think the whole sum derived from that place exceeded 600,000*l.* or 700,000*l.* But, whilst making these satisfactory statements, I heartily concur in the wise advice, that we should not be too much elevated with the present state of the country. I thought it my duty two years ago, when great distress and alarm prevailed, to endeavour to check the discouragement; and I shall think it equally my duty now to prevent, as far as in me lies, any undue excitement and overweening confidence. I have felt it to be also my duty, however, when such words were proposed to be added to the Address, to state what I believe to be the real condition of the country. I sincerely hope, then, that no rash speculation will disturb the general well-doing of the people. We have, in my belief, entered upon a course of sound improvement; and my earnest hope is, that it will, under the blessing of Providence, continue ; and that, notwithstanding its present temporary depression, the agricultural interest may participate in the general improvement. When it does arise from that state of partial depression, its prosperity will be based, not upon the delusive foundation of protection, but upon the firm foundation of its own industry and exertion, on which it could never be shaken.

Mr. H. A. HERBERT hoped the House would not consider it presumptuous in him to rise at so early a period of the Session.

He had had no idea of doing so when he entered the House, nor would he now trespass on their attention, if it had not been for some expressions of an hon. Gentleman who had moved the Address. Both the hon. Member and the right hon. Gentleman who had just sat down had spoken but little of Ireland, and he (Mr. Herbert) presumed it was but little on the old principle, that "least said was soonest mended." One assertion had, however, been made, which evidently seemed to have made a strong impression on the House. The hon. Gentleman who moved the Address said, and the right hon. Gentleman the Chancellor of the Exchequer repeated, that an enormous diminution had taken place in the number of persons receiving relief in Ireland, and from that was deduced a comparative state of prosperity, or at all events of improvement. The right hon. Gentleman said, "Dispute my facts if you can." He (Mr. Herbert) was not there to dispute the facts, but he was there to dispute the deductions; and he would now show that the facts cited did not necessarily prove an improvement in Ireland in 1849 as compared with 1848. The hon. Gentleman said that from the returns dated December 9, 1848, it appeared that the number of those receiving indoor relief were 187,803. The exact number was only 186,403; but for his (Mr. Herbert's) purpose those figures were near enough. In the same report it was stated that the outdoor relief on the same date was 315,719, but that in December, 1849, the number was only 95,449. He (Mr. Herbert) contended that that did not show any real diminution of destitution. Any hon. Gentleman who read that return would find that there had been additional house accommodation provided for 50,806 persons. Let any hon. Gentleman go into any part of the south of Ireland, and he would find whole streets and every building erected in them for the purpose of trade or commerce converted into workhouses. It was also well known that when once outdoor relief was established in any district, a vast mass of imposture was connected therewith. It was impossible to check that, and consequently the numbers 315,719 did not represent the actual destitution that existed in 1848. He would appeal to the hon. Gentlemen in the House who had been endeavouring to work the poor-law system in Ireland, if that was not notoriously the case? The right hon. Baronet the Member for Tamworth, then in his place, stated in an able speech which he made last year, that he believed there would be no safety in Ireland in administering the poor-law, unless they returned to the law of 1836. But he (Mr. Herbert) would call the attention of the hon. Member to another reason for the diminution in the number of Irish paupers. Many of the 315,000 referred to had migrated to England. He would ask any Gentleman who paid any attention to the subject if the highways and byways of England were not thronged with Irish paupers? He, during the autumn spent a few weeks in the south of Scotland, and walked through a great portion of Northumberland, and observed that those places were thronged with his unfortunate countrymen. It might be said that they came over to reap the harvest, but numbers of them told him that they were living on their wits for the last two years; and some of them had so completely exchanged the Irish brogue for the Scotch twang, that until he spoke to them in their own dialect, he could not tell that they were Irishmen. Death had also greatly diminished the paupers. Many districts had been half depopulated by that means. Many hon. Members in that House who had been in Ireland this season could bear testimony to the vast numbers of roofless houses and deserted homesteads which could be everywhere seen. The right hon. Gentleman the Chancellor of the Exchequer had therefore no right whatever to infer the increased prosperity of Ireland from the diminished amount of paupers. If the House would look at the figures in the returns referred to, they would find that there had been an extraordinary diminution of numbers in one week. In the week before November 9, they were in round numbers 105,000; the next week they were only 95,000. In the margin he found the diminution accounted for in these words: "This sudden diminution arose from peculiar circumstances in the Kilrush union." He wished to know what those peculiar circumstances were. If outdoor relief were to be taken as a test of improvement, then there must have been some sudden burst of improvement, for there was no outdoor relief at all given at that time in Kilrush, the most impoverished and bankrupt district in Ireland. Having compared the exports of 1848 and 1849, the right hon. Gentleman alluded to the Customs, and admitted there was a decrease. He said there was an increase during the last quarter, but took good care not to give the figures. He (Mr. Herbert) suspected they were so very small that the right hon. Gentleman preferred not mentioning them. In Ireland they would be very thankful to have even a small improvement. They were, however, so accustomed, from day to day, to hear the voice of woe, to see their property passing away from them, to hear well-authenticated accounts of destitution, and to look absolute ruin in the face, that accounts of destitution and misery hardly now affected them. The hon. Gentleman the mover of the Address laid great stress on the diminution of crime. That could be accounted for by the proportionate diminution in the population. The hon. Gentleman alluded to sheepstealing, and stated that there had been a diminution in that description of crime also. He did not, however, allude to the fact that there had been so great a diminution in sheep that there was hardly one left. He (Mr. Herbert) had heard of a dialogue between a Hungarian nobleman and a Scotchman. The Scotchman said he had so many sheep on his estate. The Hungarian said, he could not tell how many sheep he had on his estate, but he could tell how many shepherds were in his employment. If the hon. Gentleman had told the House what diminution had taken place in sheep, it would go far to account for the diminution in sheepstealers. The right hon. Gentleman said, "Dispute my facts if you can." He (Mr. Herbert) was ready to dispute his facts; and he would call on the House to receive with great caution anything coming from the supporters of Her Majesty's Government with respect to the prosperity of Ireland. He hoped the noble Lord at the head of the Government did not think that he spoke with the slightest disrespect of the Government; but he would show the House that the right hon. Gentleman had on other occasions made statements concerning Ireland which were utterly at variance with the actual state of things. In a speech delivered last Session, the right hon. Gentleman said—

> "It was certainly very satisfactory to have to state, that, with the exception of a very small portion of Ireland, he did not believe that any assistance whatever was either wished for or necessary. The greater portion of the east and north of Ireland was not more distressed at this moment than the south of England; and in several other parts of Ireland there was not the least need of assistance. He might refer to the case of the union of Listowel, in which the collection of rates had fallen into some disorder. A commissioner had been sent down, and within six weeks the demands due had not only been paid up, but 700*l.* remained to the credit of the union."

But what were the facts of the case? At the time the right hon. Gentleman was using these words, the debt of that union had increased. He (Mr. Herbert) had no connexion with the union by property, but as it was connected with the county he represented, he had taken much trouble in inquiring into the facts of the case, and, as far as the accounts and the statements of the most intelligent clerk of the union, and the admission of the assistant inspector, Lynch, could go, as well as that of the gentleman who made the report, the union was in debt at that time. The guardians were dismissed and vice-guardians appointed in November, 1848; the debt then amounted to 5,234*l.* The right hon. Baronet made his speech on the 7th February, 1849. A week, however, before, the debt had amounted to 5,729*l.*; and yet this was the union that the right hon. Baronet had put all to rights — so much so that there was 700*l.* in pocket. The vice-guardians continued the management, and by the 4th August the debt had increased to 15,927*l.* The rate in aid was actually levied in that union, bankrupt as it was. As a proof of what the vice-guardians must have thought of the position of the union, he would mention the fact that they made an arrangement with the Messrs. Russell for a supply of Indian meal, on the price of which they contracted to pay a sum equal to 27 per cent. He did not mean to say anything to the disparagement of these gentlemen; he merely mentioned the fact. When the guardians were restored, the first thing they did was to strike rates, and on one occasion 14*s.* 6*d.* in the pound was actually agreed to be levied. The assistant inspector attended the meeting, and what did he do? Why, he endeavoured to dissuade the guardians from levying so high a rate, and, after some correspondence with the Lord Lieutenant, the guardians were induced to strike lower rates than they intended, and the probability was, that the diminished rate would be referred to in due time as an evidence of returning prosperity. With respect to the Amendment, as an Irish Member he must vote for it. Under no circumstances could Ireland have gone through the crisis without much difficulty and suffering; but his belief was, that the effect of recent legislation had been to aggravate and increase those difficulties. He represented a county (Kerry) in which the local taxation had enormously increased.

In 1835, the amount was 30,951*l.*; in 1845, 41,095*l.*; in 1849, it had increased to 155,417*l.*; while in the adjoining county of Limerick it had increased from 45,000*l.* to over 200,000*l.*, while in the same county the cultivation of wheat had fallen off from 1847 to 1848 from 52,000 acres to 32,000. He hoped the doctrine of expediency—the tyrant's plea — would no longer be put forth as a reason why Ireland's interests should be sacrificed to save a Ministry from embarrassment.

Mr. W. FAGAN said, that the hon. Member who had just sat down had not made a single observation pertinent to the subject before the House. Respecting the improvement of Ireland, he differed from the hon. Member, who should recollect what was the condition of that country prior to and during the potato famine. Four millions of the people subsisting on a description of food which failed them during a period of three years, and the tenant-farmers obliged to dispose of their cattle and farming implements for subsistence. A better state of things was now in progress; and although the improvement was not extensive, it was still improvement, and gave good indications for the future. Prices within the last two months had considerably improved. In cattle alone the rise had been equal to 1*l.* a head. It had been asserted that the Irish workhouses had been considerably relieved by the emigration of paupers to England. He believed that such was the case; and it was with much pleasure he stated that many of these vagrants had met with employment in England—a circumstance altogether owing to free trade. Upon the subject of free trade he entirely differed from his hon. and gallant Colleague, who seconded the Amendment. He could understand the motive and object which Gentlemen opposite had in selecting the gallant Officer for that duty. Personally, no man was better entitled to that compliment, or to any other which could be bestowed upon him; but this was the gallant Officer's first appearance, and he (Mr. Fagan) could not but perceive that the object in selecting him was to indicate that his election was an evidence of reaction against free trade. [*Cheers from the Protectionists.*] He emphatically denied that such was the case, and he thought he was in a position to make good the assertion that protection had nothing whatever to do with that election. ["Oh! oh!"] He was prepared to make good his assertion. In the Speech from the Throne an intention was indicated of introducing a measure for amending the franchise in Ireland. The miserable franchise which now existed was one of the main causes of the election of the gallant Officer. There was so much difficulty in the present system that people had grown apathetic, and the consequence was that the registry was neglected. In the city of Cork the registry had actually become a nullity. He could show that a great number of those who had supported the gallant Officer were not protectionists; the chairman of his election committee was a free-trader. He did think that the circumstances connected with an election which had made so much noise were altogether misapprehended. The same result would have taken place although protection had never been heard of. In the great constituency of the county of Cork the tenant-farmers were decidedly free-traders. These persons have taken a different view of that question from the farmers of England. Whether that arose from the connexion between the landlords of England and their tenants being closer than that which prevailed in Ireland, he could not say; but the fact he had asserted could not be disputed. He thought the display recently made in many of the districts of Ireland by the landlords, would not prove beneficial to them. The course adopted by many well-meaning Gentlemen of taking advantage of certain political views entertained by Gentlemen who had never expressed any sympathy with the misgovernment to which the Irish people had been subjected, was not prudent. He believed that the very agitation which prevailed in Ireland would of itself compel the landlords to come to a fair adjustment with their tenants, who would then, having an interest in the land, become as industrious as any of the like class in England. He was persuaded that protection never added a farthing to the poor man's wages in Ireland, and that free trade had had nothing whatever to do with the low prices that had prevailed in that part of the kingdom. With cheap food, it was undeniable that both tenants and labourers in Ireland must be better off.

Sir J. B. WALSH contended, in opposition to the hon. Member who had just sat down, that Ireland had been a peculiar sufferer by the abolition of the duties on foreign corn. He was at a loss to know, notwithstanding the speech of the right hon. Gentleman the Chancellor of the Exchequer, where the glowing pictures of prosperity in which the Government indulged were to be found. It was not their (the protectionists') fault that they were not all enabled, on that occasion, to join in a loyal and respectful Address to the Throne, and then to proceed to the business of the Session. The Amendment was in a manner forced upon them by a passage in the Speech, which appeared to have been introduced into it by the Government for the very purpose of provoking a division. Was it only the owners and occupiers of land who were interested in this great question? No man who really understood the connexion between the different classes of society in this country could for a moment believe that the distress and ruin which any injury to the agricultural interest could create, would be confined to the agricultural interest alone. But the Government had not been content with this mode of disregarding the complaints and the meetings of the country; they had actually gone out of their way to declare to the whole country that they intended that the grievances and the distress complained of, should have neither remedy nor consideration. They had chosen to bring forward a gentleman, who, however estimable in private life, was identified with a particular system. It had been said that the name of Napoleon was a system, and if that of the hon. Member for Wolverhampton was likewise a system, it was the system of the Anti-Corn Law League. He wished to know whether it could be considered a prudent or a wise course of the Government not to give to one from among their own steady and uniform supporters the complimentary offer of moving the Address in answer to the Speech, but to go to the hon. Member for Wolverhampton, one who had been a member of the Anti-Corn Law League, and associated with all the movements of that body. The Ministry that acted thus showed that they were not the principals in this contest, but that the real principals were the landed interest of the united kingdom on the one side, and the spirit and power of demagoguism on the other. He denied all the positions on which the hon. Member for the West Riding and his party had argued this question. If they looked to the people of England and Ireland, they would see the manufacturing interest was confined to a very limited area, and that the agricultural interest, on the contrary, comprised four-fifths of the kingdom. If, therefore, any great injury occurred to the agricultural body, all their small towns—their Readings, their Devizes, and such like places—must inevitably be involved in the same common ruin. Even the tradesmen of this great metropolis would be sufferers under any great calamity that happened to agriculture. If the rents on the richest soils must be reduced to meet the reduced profits, everything must not only be reduced, but swept away altogether—capital, scientific applications, and the employment of labour resulting from them on the poorer soils. When this was done, how was the increased poor-rate and the mass of taxation on the land, now found so grievous to bear, to be provided for with the diminished resources resulting from free trade? The peculiarity of the poor-rate was, that it always increased when the means to meet it diminished; and it would soon swallow up the whole property vested in those counties where poor soils predominated, as it had already swallowed up the whole of the property in the south of Ireland. There was one thing he had observed Gentlemen opposite always urged, and that had formed a large portion of the speech of the right hon. the Chancellor of the Exchequer, and that was the supposed power of the soil and the capability of the farmer to increase the quantity of produce. No one was more fully aware than himself of the fact that farming in England was capable of great improvement. He had always encouraged improvements on his own estates, and with some success; but it appeared to him to be a law from which there was no escape, that additional produce could only be obtained by additional outlay of capital. It was a false and erroneous statement to say that the English farmer was deficient in industry—that he was lazy and wanted enterprise. Nothing could be further from the truth. It was true that in some districts the farmer had not profited by all the improvements discovered; but it was equally true that, to enable him to do so, there must be a large outlay of capital for draining, subsoiling, levelling fences, making roads, purchasing expensive manures, &c. The hon. Member who moved the Address brought forward the case of a farm in Gloucestershire, which had let for 20*s.* per acre lately, but was now fetching double that amount. But the material ingredient in the bargain, by which the House would be enabled to come to a right understanding in that case, was but lightly touched upon by the hon. Member. He said there had been some draining done; but he should like to know what had been the outlay of capital to enable the owner to command this great additional rent. The House should recollect that the countries with which they were forced into competition were by no means under the necessity of resorting to improvements. On the banks of the Mississippi subsoiling was unknown, draining did not exist, and the cultivation was of the rudest character. They did not read their Professors Low and Liebig, and had never heard of Mechi and Huxtable. They scratched over a piece of ground, threw in the seed, and reaped the crop. This was done for four or five years, and then they treated the next piece of land in the same way. Thus the English farmer was obliged to be at a great outlay, and have recourse to all the arts of science, while those with whom he was brought into competition carried on their business without either the one or the other. The match was therefore a most unequal one. The law of competition was just this:—A little competition, nobody could deny, quickened and stimulated; in the absence of all competition a man became careless, and paid anything but a proper attention to his business. But if competition was carried too far, it injured and destroyed; it plunged individuals or nations into utter despair. They were now about to decide the question whether the English farmer was to have that amount of competition which would give him energy and spirit to overcome it, or a degree which he was not able to encounter, and with which he must be overwhelmed. This question, as far as experience had gone in the present year, seemed to have been decided by the fact that any amount of corn could be procured at such low prices that the resources of the English farmer must be altogether overtaxed, and they must be reduced to the lowest state of depression, and—God forbid he should ever live to see it!—coincident with that depression the manufacturing interests would be entirely dependent on the foreign customer. Hon. Members opposite had taken care that this should be the first subject of debate this Session, but they need not hope to smother it at once by that policy. If they were inclined to let it alone, they would be driven by their constituents to force it on the attention of the House. It was assumed that this was a landlord's question and a landlord's agitation; but he believed that it was totally the reverse. He believed the tenant-farmers and the yeomen were far more inclined to reproach them with remissness, backwardness, and want of energy in their cause, than with an undue inclination to forward their own interests. The agitation had nothing of a factitious or got-up character about it; and it would be continued with that pertinacity which Englishmen always showed when they felt they had a just and good cause. Even if they did not wish it, the Members who represented the agricultural interest would not be able to avoid bringing this subject constantly under the attention of the House. He wished, in conclusion, to address a few words to those who held that most dogmatic pretension that there was something in the decision of the legislation on this subject of a final and irreversible character; that it was not susceptible of reversion. That he utterly denied. The whole character of their legislation for some years past had been purely experimental. They were always trying some new experiment—always acting upon one theory or another—and always casting aside the conclusions of all their experiments. Had a legislation like this the right to arrogate to itself finality? The very circumstance of their legislation being experimental supposed that it must be tested by the result; and they were imperatively bound to change if that result should deceive the expectation or belie the predictions of its projectors. It was sometimes said to be irrevocable because it was founded on the deliberate decision of both Houses of Parliament. The hon. Member for the West Riding, at a recent meeting at Leeds, said that out of the whole House of Peers he believed there were but twelve who in their hearts were favourable to the measure of free trade. That was the only conclusion in which he entirely concurred with the hon. Member for the West Riding; and the first point in this irrevocable and final legislation was, that it was passed against the convictions of one branch of the Legislature. With regard to the section of the Conservative party who fortified by their votes the measures of the right hon. Baronet the Member for Tamworth, he knew they were placed in a difficult position. They believed, doubtless, that they were forced to sacrifice their own individual opinions to maintain the merits of that great party, the existence of which they believed essential to the good of the country; but, admitting that construction of their conduct, and admitting also that the right hon. Baronet was a conscientious convert to free-trade doctrines, it was impossible that two hundred Gentlemen should, at the same moment, have been also convinced, as it were, by an electric shock. He gave those Gentlemen credit for the disinterested character of their vote; but he could not but believe that vote was given against their own deliberate conviction. And then it could not be alleged that the question was decided according to the opinion of the majority of the constituency of this country. It was certain that an indisputable majority of the constituency were in favour of protection, and returned a majority of that House with the belief that they would vote for protection. It must be owned that the question was carried against the recorded sense of the constituency, and against the real convictions of a great majority of the representatives themselves; and how, then, could it be pretended that this experimental piece of legislation must now be considered as final and irrevocable? With this fresh in their recollections, and, still more painfully fresh, the disastrous results of this experiment, he trusted they would never hear again of its irrevocable character. The House would be forced to record its vote on that question; but the agricultural Members would feel it their duty not only to divide them, but to discuss the question in all its bearings, and to advocate a return to protection again and again during the Session. He trusted they would be met with fair arguments and with a candid spirit; and he hoped no attempt would be made to extinguish discussion, on the pretence that the present debate, and the division which would ensue, would place it in the position of *fait accompli*, a conclusion at which he could assure them the country would not allow them to arrive.

MR. GRANTLEY BERKELEY moved the adjournment of the debate. [*Loud cries of* "No, no!" *and* "Go on!"] He bowed to the decision of the House, and would take that opportunity of alluding to certain peculiarities of the Royal Speech. He deeply regretted that all mention of one great portion of the British empire was totally left out, just as if the colonies of this great empire were no longer of any importance to the State. He must also make a remark upon one paragraph in the Speech:—

> "With regard to those foreign States whose Navigation Laws have hitherto been of a restrictive character, Her Majesty has received from nearly all of them assurances which induce Her to hope that our example will speedily lead to a great and general diminution of those obstacles which previously existed to a free intercourse by sea between the nations of the world."

This passage, of course, excepted the United States, the self-protective character of whose policy was sufficiently indicated by the message of the President, to say nothing of the actual exclusion of British manufactures. Another paragraph was as follows:—

> "Her Majesty greatly laments that any portion of her subjects should be suffering distress; but it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life which cheapness and plenty have bestowed upon the great body of Her people."

That, again, must be supposed to intend the exception of that portion of Her Majesty's people the colonists, who were reduced to the lowest state of ruin and distress. He had observed that the right hon. Gentleman the Member for Manchester, in a recent speech, had said that it would be a blessing to this country if the colonies could be swept away altogether. He did not expect to hear such a sentiment from one who had enjoyed the honour of a seat at the Councils of Her Majesty. He confessed that he was struck with amazement when he found that the hon. Member for the West Riding—that illustrious disciple of peace—preaching to the people in words which, if he (Mr. Grantley Berkeley) knew anything of the English language, were the words of disaffection and revolution. Having, in the first place, devoted his talents—those talents which they all knew him to possess; and his eloquence—his "unadorned eloquence"—to the abolition of the state, army, and navy of this great empire, he then turned round, and when he found that it suited his purpose to do so, preached up war and disaffection. The hon. Member had tauntingly observed that the agricultural interests had been recently exhumed for a party purpose; but the fact was that those interests had been foully and most unconstitutionally murdered. It was admitted on all hands that there ought to be a reduction of taxation; but in what better way could the Government reduce taxation than by raising a supply from the pockets of the foreigner? It was idle to say it was all a question of rent. He could assure the House that if every sixpence of rent were taken off the light hill land in the county with which he was connected, it would be still impossible to farm the land to profit at the present prices. The Manchester school were endeavouring to stir up ill feeling between the landlords and the tenants on this question, just as they had endeavoured to do on the game-law question; but it was to be hoped that their iniquitous designs would be foiled. The hon. Mover of the Address had alluded, when referring to the game laws, to a tenant in his (Mr. Grantley Berkeley's) county, named Josiah Hunt. Now it so happened, happily or unhappily, that this man was a Quaker, a tenant of a small farm, whose word was not held at the valuation of a single farthing, and who had been employed at the last election to bribe the voters against him (Mr. Grantley Berkeley); and as some of the money had not been accounted for, it was believed that it was still in the Quaker's pocket. Nothing could be more disgraceful than the treatment the tenant-farmers had experienced. If any complaint was made of their distress, or any demand of justice, the hon. Member for Manchester, with that gentleness which so well became his cloth and cut, threatened them with the destruction of the House of Lords. He had never read speeches so fraught with danger and delusion to the people in general as those of the Manchester school; and in reply to these men he would say that free trade had been given to the country when the country was not in a fit state to receive it, and that the burdens of the farmer ought now to be taken off, and the malt tax removed. With reference to the game laws, about which the hon. Member for Manchester, who sometimes overshot the mark, was so fond of talking, it was perhaps necessary to say that another Quaker had given evidence before the Committee upon the subject, in which he declared that he had not taken any part, active or inactive, to get up a cry in the county of Fife against the game laws. He referred to that to show the fallacies which had been resorted to in reference to the game laws by these free-traders when they designed to sow disaffection between landlord and tenant. Did the Government imagine that they had given free trade a fair trial? He was a free-trader, and he answered that they had not. Free trade was hurried on the country in a most unbecoming manner. The country was not put in a condition to receive it, and was no more fit for it when it was passed into law than the colonies had been prepared for abolition at the time that that measure was forced upon them. In order to have fair free trade, the burdens which now weighed so heavily on the farmer should be removed, and the malt tax should be abolished. If Government were not in a position to do so, they were not in a position to institute free trade. He hoped that hon. Members, in recording their votes on this question, would be uninfluenced by the base threats which had been held forth, that in the event of any effort being made to relieve the distress of the agriculturists, riots would spring up in all parts of the country, and that, in fact, England would be on the eve of a civil war. The country was at that moment threatened with more serious disturbance than had ever menaced it before. It was intolerable that the tenant-farmers should not be permitted to meet in a constitutional manner to give expression to their wishes and declare their grievances, without the interference of a vile mob. They found that at Reading, Bedford, and other places, persons were sent to the meeting who had no single stake in the county; and then they were told when these meetings were so disturbed, that these people had been constitutionally defeated by the rabble sent to disturb them. Now he fancied that the farmers of this country had a right to meet and discuss this question. If the arguments were correct, if trade was in a flourishing state, was that a reason why the agriculturists were to be lost sight of? Were they not a vast portion of this empire? Had not our chief prosperity sprung from that interest? Was that to be totally forgotten, and were they to be content with a mere allusion to it in the Speech from the Throne? He held that the agriculturists of this country had been ill used by the present Government, that their interests had been lost sight of. For nearly seventeen years he had been a supporter of the Government, and had never spoken against them before; but, free-trader as he was, he must confess that free trade had been a most deceptive measure. When he was making that assertion, he knew that numbers of free-traders who still adhered to the principle in his own county were of the same opinion. They thought that though the measure might be properly founded on principle, it had been placed on a wrong footing; that much haste had been exercised in the matter; and that unless something was done, the agricultural interest must go to a fast and overwhelming ruin. He, therefore, trusted that the House, in coming to a vote on this question, would do justice to that oppressed and too quiet class; and that they should see the agricultural interest return at last to its proper state in the country.

The Marquess of GRANBY moved the adjournment of the debate.

Lord J. RUSSELL said, he would not oppose the Motion for the adjournment; but he hoped that it would be understood that the division should be taken to-morrow night. He would wish to be made acquainted with the feeling of hon. Gentlemen opposite on the subject under discussion, especially of the hon. Member for Buckinghamshire.

Mr. DISRAELI said, that he shared in the hope of the noble Lord that the debate would be closed to-morrow evening; but he could not be guilty of the presumption of giving a pledge for himself or others. The duration of the debate would very much depend on the conduct of Gentlemen at both sides of the House, and past experience had taught them that the noble Lord did not always find it an easy matter to exercise that influence which he ought to possess over his own supporters.

Debate adjourned.

The House adjourned at a quarter past Twelve o'clock.

HOUSE OF COMMONS,

Friday, February 1, 1850.

Minutes.] New Writ.—For Windsor, *v.* Lord John Hay, Steward of the Manor of Northstead.—For Colchester, *v.* Sir George Henry Smyth, baronet, Chiltern Hundreds.

TRANSPORTATION TO THE CAPE.

Mr. ADDERLEY begged to ask the hon. Gentleman the Under Secretary for the Colonies, whether the Order in Council making the Cape a penal settlement had been revoked?

Mr. HAWES replied that the order had been revoked.

Mr. ADDERLEY wished to inquire in the next place whether the *Neptune* convict ship had been removed from the Cape, and if so, what was its destination? He also wished to know if there was any truth in a rumour that Sir Harry Smith was to be removed in consequence of the late proceedings of the Government?

Mr. HAWES, in reply, said, that orders had been given some time ago for the removal of the *Neptune* from the Cape, and that her destination was Van Diemen's Land. There was no foundation for the rumour that Sir Harry Smith had been recalled.

SESSIONAL ORDERS—PUBLIC BUSINESS.

Mr. HAYTER moved that the Sessional Orders for the conduct of the business of the House be read and agreed to.

The Clerk at the table proceeded to read the Orders *seriatim.*

On Order 86,

Motion made, and Question proposed—

"That at the time fixed for the commencement of Public Business, on days on which Orders have precedence of Notices of Motions, and after the Notices of Motions have been disposed of on all other days, Mr. Speaker do direct the Clerk at the Table to read the Orders of the Day without any Question being put."

Mr. HUME said, that that Order was an alteration proposed by himself on the former practice of the House, under the impression that it would prove advantageous to the public service. But he found that great advantage had been taken of it to stop and impede the discussion of questions of the utmost importance, and many hon. Members had been deprived of the opportunity of bringing forward questions interesting to their constituents and important to the public at large. Another evil which had arisen from it was, that very great confusion in the transaction of public business prevailed at the end of the Session. After the two years' experience which they had had of this Order, he submitted to the House that it would be better to return to the old state of things, in which every Member had the opportunity of gaining the attention of the House. He should move, that the Order just read be deferred for a day or two, in order that the House might take his Motion into consideration.

Mr. J. E. DENISON said, in the Committee which sat for the arrangement of public business, no decision had been come to on this point, because the Order had emanated in the first instance from the House, and was under its consideration at the time of its sitting. He did not agree with the hon. Member for Montrose, that any disadvantage or inconvenience had arisen to the public service from its introduction. Under the former Order, great confusion and inconvenience had arisen from hon. Members never being able to know beforehand what subject would be discussed in the course of the evening. To correct that evil this Order was adopted, and the experience of two years had, in his opinion, fully proved its advantages. He trusted, therefore, that the House would abide by this Sessional Order.

Mr. HENLEY suggested that the hon. Member for Montrose should defer the matter until another occasion.

Mr. HUME: That was his Motion. He wished merely to postpone the consideration of the Order.

Lord J. RUSSELL thought that the present arrangement had been productive of very great convenience. Under the former practice, any hon. Member, when the Order of the Day was read, had the power of introducing any Motion relating to any other subject. And it was quite true, as his hon. Friend the Member for Malton had stated, that it was utterly impossible for hon. Members to know beforehand what would be the subject for discussion in the course of the evening: for whatever was the Order of the Day, Motions might be brought on respecting Canada, Australia, or any other subject wholly different from that to which the Order of the Day referred. The House found the inconvenience arising from this practice to be so great, that it resolved to put an end to it, and they adopted this Sessional Order, under which the House had, during the last Session more particularly, got through a great deal of business in a satisfactory manner in a remarkably short space of time, without any impediment being placed in the way of hon. Members bringing forward Motions of public importance. With this experience of the benefit accruing from this Sessional Order, he thought that hon. Members would do well to maintain it.

Mr. HERRIES thought the rule might be postponed for a few days for future consideration. He should support the Motion of the hon. Member for Montrose.

Sir R. H. INGLIS hoped that no time would be wasted in the discussion of the Order. He thought it was perhaps rather early for the House to discuss its advantages or disadvantages. It was not a new measure which the House was called upon to adopt on the instant. It was a measure which had worked well in the judgment of nine-tenths of the Members of the House who took an active part in the public business. He hoped that the question would be at once decided.

Mr. HORSMAN said, that he well recollected what took place when this subject was under discussion on a former occasion. His hon. Friend the Member for Montrose proposed a series of resolutions, the effect of which that hon. Gentleman had not well understood beforehand. In fact their effect had taken the hon. Member completely by surprise. The hon. Member had proposed them as an experiment, and he now requested the House to consider whether they had worked well. With regard to what had fallen from the noble Lord at the head of the Government, he (Mr. Horsman) did not think that the business of the House had been conducted in a satisfactory manner; he considered that it had been most unsatisfactory.

Mr. BROTHERTON thought that the experiment which had been tried during the last two years had worked very well, and to the advantage both of the public business and of hon. Members.

Mr. HUME wished before the House divided to say a few words in reply. His object had been not to thwart but to promote the public business of the country. He considered it was one of the chief duties of the House to give every facility to the people to make their complaints in that House. But he found that the withdrawal first of Thursday, then of Wednesday nights from the Members, for Motion nights, had placed the whole of the time of the House at the disposal of the Ministry, from whose neglect a great deal of business was required to be done at the latter end of the Session in a most hurried and therefore defective manner. He, therefore, wished to have an opportunity of laying before hon. Members in a more detailed manner the inconveniences which had resulted from the adoption of this order. The objection of which the noble Lord had made mention, of not knowing what subject would be discussed, he (Mr. Hume) was prepared to meet by a Motion that hon. Members should be required to give previous notice of their intention to move anything on the Order of the Day.

Motion made and Question put, "That the Debate be now adjourned."

The House divided:—Ayes 81; Noes 151: Majority 70.

List of the Ayes.

Adderley, C. B.
Anstey, T. C.
Baillie, H. J.
Baldock, E. H.
Banks, G.
Bass, M. T.
Berkeley, hon. G. F.
Best, J.
Blewitt, R. J.
Bremridge, R.
Bright, J.
Broadwood, H.
Bromley, R.
Brooke, Lord
Buller, Sir J. Y.
Burghley, Lord
Buxton, Sir E. N.
Chatterton, Col.

Christopher, R. A.
Clive, H. B.
Cobden, R.
Codrington, Sir W.
Colvile, C. R.
Conolly, T.
Disraeli, B.
Drummond, H.
Farnham, E. B.
Fellowes, E.
Fox, W J.
Fuller, A. E.
Galway, Visct.
Gibson, rt. hon. T. M.
Goddard, A. L.
Granby, Marq. of
Granger, T. C.
Harris, hon. Capt.
Henley, J. W.
Henry, A.
Herries, rt. hon. J. C.
Hodgson, W. N.
Hood, Sir A.
Jackson, W.
Kershaw, J.
King, hon. P. J. L.
Knox, Col.
Loveden, P.
Lowther, hon. Col.
Lushington, C.
Mackenzie, W. F.
Meagher, T.
Manners, Lord G.
Maunsell, T. P.
Milnes, R. M.
Mowatt, F.
Mullings, J. R.
Mundy, W.
Neeld, J.
Newport, Visct.
Noel, hon. G. J.
O'Conner, F.
Packe, C. W.
Portal, M.
Repton, G. W. J.
Ricardo, J. L.
Salwey, Col.
Sidney, Ald.
Smith, J. B.
Somerset, Capt.
Spooner, R.
Stafford, A.
Stanford, J. F.
Stuart, J.
Thompson, Col.
Thompson, Ald.
Tollemache, J.
Trollope, Sir J.
Waddington, D.
Walmsley, Sir J.
Walsh, Sir J. B.
Williams, J.
Worcester, Marq. of

TELLERS.

Hume, J.
Horsman, E.

List of the Noes.

Adair, R. A. S.
Alcock, T.
Arkwright, G.
Armstrong, Sir A.
Bailey, J. jun.
Baines, rt. hon. M. T.
Barnard, E. G.
Barrington, Visct.
Berkeley, C. L. G.
Bernal, R.
Bernard, Visct.
Blackall, S. W.
Bouverie, hon. E. P.
Boyle, hon. Col.
Bramston, T. W.
Brown, W.
Cardwell, E.
Carew, W. H. P.
Childers, J. W.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Cocks, T. S.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Cowan, C.
Cubitt, W.
Currie, H.
Dalrymple, Capt.
Deeds, W.
Denison, E.
Douglas, Sir C. E.
Drumlanrig, Visct.
Duckworth, Sir J. T. B.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Dundas, rt. hon. Sir D.
Egerton, Sir P.
Ellice, rt. hon. E.
Ellis, J.
Elliot, hon. J. E.
Estcourt, J. B. B.
Evans, W.
Fagan, W.
Farrer, J.
Fitzroy, hon. H.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
French, F.
Frewen, C. H.
Glyn, G. C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greenall, G.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Gwyn, H.
Hallyburton, Ld. J. F. G.
Hamilton, J. H.
Harris, R.
Hastie, A.
Hawes, B.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heald, J.
Heneage, G. H. W.
Heyworth, L.
Hodges, T. L.
Hogg, Sir J. W.
Howard, Lord E.
Howard, P. H.
Humphery, Ald.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Jocelyn, Visct.
Kildare, Marq.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. E.
Lascelles, hon. W. S.
Legh, G. C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.
Lygon, hon. Gen.
Mackinnon, W. A.
Maitland, T.
Mangles, R. D.
Martin, J.
Masterman, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Milner, W. M. E.
Milton, Visct.
Molesworth, Sir W.
Monsell, W.
Mostyn, hon. E. M. L.
Naas, Lord
Ord, W.
Oswald, A.
Pakington, Sir J.
Palmer, R.
Palmerston, Visct.
Peel, rt. hon. Sir R.
Peel, Col.
Pelham, hon. D. A.
Pendarves, E. W. W.
Pennant, hon. Col.
Pigott, F.
Pilkington, J.
Plumptre, J. P.
Power, Dr.
Pugh, D.
Ricardo, O.
Russell, Lord J.
Russell, F. C. H.
Sandars, J.
Scrope, G. P.
Shelburne, Earl of
Sheridan, R. B.
Smith, rt. hon. R. V.
Smyth, J. G.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Stansfield, W. R. C.
Staunton, Sir G. P.
Strickland, Sir G.
Stuart, H.
Tenison, E. K.
Thornely, T.
Trelawny, J. S.
Tufnell, H.
Tynte, Col. C. J. K.
Vane, Lord H.
Vivian, J. H.
Walpole, S. H.
Walter, J.
Welby, G. E.
Whitmore, T. C.
Willyams, H.
Wortley, rt. hon. J. S.
Wyville, M.
Young, Sir J.

TELLERS.

Denison, J. E.
Brotherton, J.

Original Question put, and agreed to.

Mr. HUME said, he was aware that there were many inconveniences attending the old system, and that under the present system the greatest possible opportunities were afforded for impeding public discussion; and the time would come, if they went on much longer as they were doing now, when none but Ministers would have the opportunity of claiming the attention of the House. At the present moment, if anything disagreeable to Ministers was coming on, they adopted the means of preventing a House being formed, and Gentlemen who had no communication with the Ministers had no opportunity of bringing forward their complaints. These were the reasons why he was anxious this Order should not pass; he would not be denominated factious by taking another division. He bowed to the decision of the House; he would fight again and again against such contraction of popular rights. He thought he had reason to know that the House was encroaching rapidly on the rights of the people of this country.

The remaining Sessional Orders were then agreed to.

ADDRESS IN ANSWER TO THE SPEECH—ADJOURNED DEBATE.

The MARQUESS of GRANBY said, in the observations which he should feel it his duty to make on the Motion and Amendment before the House, he should confine himself entirely to that paragraph in Her Majesty's gracious Speech to which the Amendment was directed. He thought it would be generally admitted by the House that it would be impossible for his hon. Friend the Member for South Lincolnshire, and those who entertained similar views, to agree to that paragraph in the Speech of Her Majesty without moving an amendment to it. That paragraph stated that Her Majesty had great satisfaction in congratulating the House on the improved condition of commerce and manufactures; and it went on to say, that Her Majesty regretted that complaints had proceeded from the owners and occupiers of land. Now, when it was remembered that these complaints did not proceed solely from the occupiers and owners of land, it did seem to him that there was some intention on the part of Her Majesty's Government to insult an important part of Her Majesty's subjects. He did not think the Mover of the Address would have assured the House that that language was not intentional, and that it was an oversight on the part of Her Majesty's Government, at least, though there might not be an intention among them to extend any measure of relief to the agricultural interest. But what had been the language of the hon. Mover of the Address. He said, adverting to that particular question, that he now came to that part of Her Majesty's Speech, in which she regretted to find complaints proceeding from the owners and occupiers of land, and the hon. Member repeated those words with a sneer; but he (the Marquess of Granby) could not think that sneer would be responded to in that House. He believed the distress of the owners and occupiers of land would receive the sympathy not only of that House, but of the country; because every thinking man must know that they could not be distressed without the labourers also suffering. That was admitted by the only Member of the Government who had yet spoken—the right hon. Baronet the Chancellor of the Exchequer—who stated that the labourers participated in the distress which prevailed; and that distress fell mainly upon the small tenant-farmers. Let the House remember that those farmers constituted a very large class. According to Mr. Spackman's tables, the number, including the small tenant-farmers of Ireland, was equal to that of all the males, above 20 years of age, employed in the entire manufactures of the country. They were a class that had ever proved loyal to the Sovereign—ever ready to come forward to defend the constitution. They essentially belonged to the middle classes, to whom it was mainly due, under Providence, that we had been saved from those convulsions which had overthrown the constitutions of foreign countries. Upon them rested the stability of the empire. The distress was admitted to exist, and the reason now assigned for it was the abundance of the harvest. Could any man who reflected that above ten millions of quarters of grain had been imported within the year into this country, entertain a doubt as to the cause of the lowness of prices? No doubt there had been an abundant wheat crop last year, but then the crop of barley had been a deficient one, and it should be recollected that the value of barley amounted to two-thirds of that of wheat. Again, he should like to know how it happened that the distress this year was attributed to an abundant harvest, while last year the prevailing distress was alleged to have arisen from the deficiency of the crops. He would wish to know in what year and under what circumstances the agricultural interest might expect to be prosperous. There had been lately large meetings held throughout the country; and though some variety of opinion was exhibited at them, arising from the varied composition of the assemblies, it was at all of them clearly stated, that at present prices they could not cultivate their farms at a profit—that no mere reduction of rent would enable them so to do—and that they were unfairly placed in relation to untaxed nations with which they were required to compete, and that Parliament must either relieve them from the burdens which pressed upon them, or else afford them some protection against the foreign grower. He would say, therefore, that when such language was generally used, the House had a right to attend to it. They had been told also that the working classes had been greatly benefited by the adoption of the system of free trade, and the consequent reduction in the price of food:—

> "That it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life, which

cheapness and plenty have bestowed upon the great body of Her people."

But what benefit was it to have food cheap if they at the same time deprived the people of the means of procuring it? They should recollect that the number of labourers engaged in agriculture was far greater than the number employed in manufactures, and that in consequence of their legislation the agricultural labourer was at this moment worse off than he was previous to the introduction of the system of free trade. Those who were employed received reduced wages, and the reduction of wages was in a far greater proportion than the reduction that had taken place in the cost of the necessaries of life; for it should be recollected that it was not the cost of bread alone, but the cost of clothing, and fuel, and house-rent, and other necessaries, that must be taken into account. But this was not all—the number of those employed was day by day decreasing, and labourers were constantly deprived of all means of earning any subsistence whatever. His right hon. Friend had quoted from a report of the Poor Law Commissioners, in order to show that a reduction had taken place in the amount of rates; but at a meeting of farmers, which he had attended the other day, in his own neighbourhood, it was stated that they had done all in their power to employ their labourers, but that they could do so no longer, as they had no money to pay them. But there was another circumstance to be taken into consideration. The whole reduction in the poor-rate was, after all, only 7 per cent. That was compared with 1848; but if his right hon. Friend had compared last year with 1845, he would see that the case was very different. What, then, became of the diminished burdens? There was another point upon which much ignorance prevailed. Of late years the farmers, instead of sending the unemployed labourers to the union workhouse, sent them to the roads, where they were paid by a parish rate. In estimating the actual amount of pauperism, that element was generally omitted, though it formed an important item in the whole. A great deal had been said of the prosperity of the lower orders; but he referred those who maintained the existence of that prosperity to the letters on the subject of "Labour and the Poor," which daily appeared in a morning journal, as well as to the comments of that journal upon those statements, to prove that the contrary was the case. In those articles it was stated that many of both sexes commit petty offences in order to have a week, or even a longer term, of good feeding, pleasant society, warmth, rest, and idleness—which have only the name of a gaol, and the trifling drawback of confinement to qualify their attractiveness; while strong, stout, hale young men stand shivering about the streets, or creep into the Refuge, unable to earn their own livelihood.

> "They are willing to work hard, but work is not to be had; and food, firing, and clothing cannot be obtained without labour, excepting under union-house discipline or prison disadvantages. This is an unhealthy state of things, which cannot possibly be permanent, for either we must find some means of controlling this formidable force of a pauperised population, or we must be swallowed up in its surging waves."

He agreed with every word of that paragraph. The great desideratum was the employment of the people; and if it was wished to benefit the lower orders, their labour should be effectually protected against the competition of foreigners. The state of Ireland had been adverted to; but what was the fact? Within fifteen months there had been 598 deaths from starvation in that country, so found by coroners' juries alone. He did not say that this was owing to free trade, or to any other legislative measures; but he did say that the normal distress of Ireland was greatly aggravated by free trade and the general course of legislation. The farmers were deprived of their market, and the labourers were robbed of their daily bread. What was then to counterbalance that state of things? It was said that commerce and manufactures had increased; but supposing that statement to be true, was that increase likely to last? It had been urged by the hon. Mover of the Address, and also by the hon. Member for the West Riding on a recent occasion at Sheffield, that the reason free trade had conferred such benefit on the country was the great increase of trade in the home market. What, however, was the fact? He would, with the permission of the House, read a letter from one of the principal manufacturers on that very subject. That letter was addressed to him (the Marquess of Granby), but it was perfectly applicable to the case in point:—

> "Dear Sir—In reply to your letter, inquiring as to the present trade in Sheffield, and its future prospects, &c., now, and for three months preceding Christmas, the general trade of the town has been very good. I never remember the workpeople being so fully employed; but this is caused almost entirely from foreign demand, for the United

States, South America, and the East Indies. I do not find that the orders for the home trade have improved much, except from the great manufacturing districts in Lancashire and Yorkshire. I know of many parties exclusively engaged in the home trade who have travellers out continually, and they still complain that business is far from being good, very different to what it used to be; and as to the agricultural districts they say it is quite ruined.

"Being engaged myself both in a home and foreign trade, I find no improvement in the former; and judging from the circumstance of a good many retail shops in the principal business street of the town being unoccupied, and have been for more than twelve months, that there is a cause at work which produces this.

"However the great problem of free trade may be solved, whether as a benefit or otherwise in the aggregate to this country, there is no question but thousands will be ruined in working it out. These sudden and extreme changes in an old constituted country like this are always injurious. Changes ought to be slow and gradual in their operation, injuring none, but to work benefit for all. A moderate fixed duty, say 6*s*. to 8*s*. on corn, would never have been felt. This country has risen to its greatness by protection to its industry. Only let us look at America, profiting by the past experience of this country, its President recommending in his last speech an inquiry into the import duties, with the view of further protecting their own manufactures; this does not suit our free-traders. I have heard expressions from some who say it is the black spot of the speech.

"It is generally thought that this will be a good year of trade; some say a very great one; but this opinion is expressed by those exclusively engaged in foreign markets.

"But all this improvement may be ascribed to the natural working of events. We have had a long depression, and we have had repeatedly so before, but there has always followed years of prosperity, and why may not the present work from the same causes? The Continent, by its political convulsions, has been closed to us till lately, which prevented them not only being buyers but producers. and precluded them from competing with us in the various markets they used to send to—viz., North and South America and the East Indies; the consequence is that the markets in those quarters have been cleared of goods, which in itself will account for the present demand from those various places. An immense amount also of merchandise has been sent from this country to California; and not only what has gone from here, but the British goods that have been sent from the United States, from South America, our own colonies, and the Eastern Archipelago, have been very considerable, which has tended to clear the markets, and which is another cause for the impetus which has been given to our manufactures. It is to be feared, if carried too far, the reaction may be serious. I have written these few cursory remarks as they have occurred to me. Hoping you are well, I remain yours truly,

"Sheffield, Jan. 12, 1850. ——."

After the statement made by the hon. Member for the West Riding, he (the Marquess of Granby) had written to the same gentleman, and, with the permission of the House, he would read his answer:—

"My Lord—In reply to your Lordship's letter of the 27th inst., inquiring whether there is any alteration in the circumstances of the home trade since I wrote my former remarks, I beg to state I find there is not; but as a satisfaction to myself, yesterday and to-day I have called upon several houses exclusively engaged in the home trade, as manufacturers, factors, &c., and none of them have participated in much improvement. One house I called upon, the principal of which told me he had been out for three months before Christmas, and he said every county he went into he found business as bad as it could be; many of his customers unable to meet their bills, from the depression existing; indeed, he observed that he thought matters worse since Christmas. I wished this house to state their views on paper, but in Sheffield they seem to have an objection to do so. This house is highly respectable and of old standing. Another establishment I called upon, who are largely engaged as manufacturers of fine stoves and fenders, entirely for the home trade; it is one of the principal houses in the kingdom; their opinions they have embodied in a note, which I enclose. The silver and plated manufacturers have also experienced a very long period of bad trade; it is rather better at present, arising from some large orders for a steam navigation company; but apart from that, they are doing nothing like the business they formerly did. This trade is now in fewer hands, and less people employed.

"I have no objection, my Lord, to my statements being read; but as I have always shunned politics, I should not like my name being used, and the houses whose opinions I have given, also object to their names being made public. I am aware this militates against the testimony, but your Lordship may rely on the credence of what I have stated.—I have the honour to remain, your Lordship's very obedient servant, ——."

The communication referred to in that letter he would also take the opportunity of reading to the House:—

"Dear Sir—In reply to your inquiry of this morning, relative to the present state of trade in our business, we are just in a middling way—certainly not brisk. The country trade is not good—the large manufacturing towns, although improving, have not yet recovered from the shock of 1848, and the agricultural districts—say Norfolk, Sussex, Essex, and Cambridgeshire, which help us so considerably when they are lively, appear at present to be quite prostrate. We suppose them suffering from uncertainty and other causes consequent upon the present transition state of the laws governing the price of corn. Everybody appears to be expecting a good year of business is at hand; but we must confess ourselves at a loss to see where the trade is to come from, unless the orders from abroad be very considerable, which, of course, we should indirectly profit by.—We are, dear Sir, yours very truly,

"Sheffield, Jan. 29, 1850. ——."

These documents showed no such great prosperity as had been predicated, at least, as regarded the home trade of the country; and, moreover, it was clear that as the agricultural interest went on towards a state of still more depression, the home trade would still further decline. To show the importance of the home trade, in comparison with the foreign trade—that trade so much relied upon—he would trouble the House with a few statements. Taking the cotton trade or manufacture as the type of all the rest, the results would be seen by this general abstract :—

Years.	Total Value Produced.	Total Value Exported British Possessions included.	Exports to Foreign Parts, ex British Possessions.	Exports to British Possessions.	Consumed in Home Market.	Consumed in Home and Colonial Markets.
	£.	£.	£.	£.	£.	£.
1820...	51,532,354	16,517,768	13,191,951	3,325,797	35,014,630	38,340,633
1830...	49,730,296	19,428,664	15,832,984	3,595,680	30,301,632	33,897,312
1840...	61,387,077	24,668,618	17,376,460	7,292,158	36,718,459	44,010,617
1845...	63,327,283	26,119,331	18,787,077	7,332,354	37,208,052	44,540,406
1846...	60,440,623	25,599,826	18,580,411	7,019,515	34,840,052	41,860,310
1847...	45,910,991	23,333,225	17,751,001	5,582,224	22,577,766	28,159.970
Totals	332,328,624	135,667,412	101,519,784	34,147,728	196,661,336	230,809,248
1848...	52,778,319	22,719,846	18,015,056	4,704,790	30,058,473	34,763,263
1849...	57,670,929	26,857,783	19,817,115	7,040,668	30,813,146	37,853,814
	442,777,872	185,245,041	139,351,955	45,893,186	257,532,955	303,426,325

The importance of the home market to the cotton trade was not, therefore, capable of being exaggerated, it was so very great. It had been said that free trade was a benefit; but if so, why was it not extended to every article? The produce of the manufactures of Nottingham and Leicester were protected by a duty of 10 per cent. Why, therefore, refuse a similar protection to agricultural produce? Much had been said of the exports of this country, and they had been compared with 1849 to show their increase; but he apprehended that if they were compared with 1845 it would be found that they had dwindled down to nothing, though 1845 was only a year of ordinary commercial and manufacturing prosperity. The foreign trade of England had been alluded to, but those who made the allusion were afraid to look at the message of the President of the United States on the case. The total amount of the foreign trade was as follows :—

Exports to Continent of Europe...	£22,845,624
,, United States	10,974,161
	£33,819,785

The exports to the United States were, therefore, one-third of the whole foreign trade of the kingdom. But suppose the United States put her threats in execution, and placed a high protective duty on foreign cotton, or refused to allow her raw cotton to be exported at all, what then would be their position, not only as to the export trade with America, but with all the countries of the world? He implored them, not only for the sake of the agriculturists, but for their own, to consider that all-important question. Let them not think they could evade it, or that, by throwing slight and contumely on the President of the United States, they could deter America from pursuing the course she thought best suited for her prosperity and independence. These were important matters, not only to the agricultural interest, but to every interest—to every Englishman. What those who opposed Her Majesty's Government said was this, that if free trade were to be the order of the day, let that principle of free trade be fully carried out; let it be fully, fairly, and impartially carried out into practical operation. If free trade must be the order of the day, let the principle of it be applied to such communities as Manchester, Derby, Leicester, and Nottingham; let them feel within themselves the benefits of free trade, and let them permit the owners and occupiers of land to cultivate that land in the manner which seemed to them the most advantageous. The landed interest complained that they were not allowed to cultivate tobacco—that they were not allowed to cultivate beetroot—that they were not allowed to cultivate barley freely for the purpose of making malt. They complained of all these lets and hindrances, and they had a right to tell the world that such injustice was no longer to be borne, and they had a right to demand upon those grounds, as upon every other, that they should meet with fair and impartial legislation. For these reasons he should give to the Amendment his most hearty concurrence and support; and let him, at the same time, warn hon. Members that, in spite of the threats of the Anti-Corn-Law League—in spite of the indifference of the Government, the farmers of England would make themselves heard; and the landed interest generally being conscious of the integrity of their motives—being fully impressed with the justice, the humanity, the patriotism, and the nationality of their cause—were resolved to uphold that cause to the utmost of their power, in the full confidence that an enlightened public opinion would declare in their favour.

Mr. J. E. DENISON said, that he was at all times unwilling to occupy the time of the House, and nothing should at that moment have induced him to trespass upon its indulgence, except a strong sense of the importance of the question which they would that night be called on to decide, to the landed interest itself, and the pressing necessity to all interests, but especially to the interests of the land, that a speedy settlement of the question should be arrived at. As an owner of land he was deeply interested in the present debate. He would ask, what was the subject before the House? It certainly was not a question as to the repeal of the corn laws, for those laws had been already repealed; but the question was, whether certain words should be introduced into the Address to the Crown—certain words as to the difficulties under which the agricultural interest laboured. If they were not, in consequence of the Amendment, to proceed to do anything, then it did appear to him inconvenient that such words should be introduced, as their only effect would be to increase and prolong uncertainty. The intention, however, of those words appeared to him sufficiently plain — their intention was not merely to pledge the House to a reconsideration of recent measures, but that they should return to that course of policy which they had so recently abandoned. He considered it very fortunate that an opportunity was at length afforded for a fair and calm discussion of the great question under dispute, for of late the public mind had been so excited upon these topics that there had been nothing like free or fair discussion. As an instance he might mention a county not far off, where great promise was held out of a full discussion by rival champions on either side, but it ended by one party insisting upon considering the question by daylight, and the other by candlelight; so a great opportunity of enlightenment to the public had been lost. Still he could not help thinking that a great many of the mists and cobwebs which hung before men's eyes had already been removed and swept away. They could scarcely have forgotten that a meeting held in Lincolnshire not long ago, had been summoned to discuss not only the agricultural difficulties of the country, but the distress which existed throughout the various great interests of the nation. The Colleague, however, of the hon. Gentleman, who presented the petition that emanated from that meeting, in moving the present Amendment, had congratulated the House on the commercial and manufacturing prosperity of the country. After that admission from the hon. Gentleman, it would not be easy for the people of Lincolnshire to deny that the commerce and manufactures of England were in a healthy condition. Then, although much had been said of the change made in the navigation laws, it appeared that that change had not by any means produced the effect which had been anticipated; and with that single remark, he should return to the question of land. Under what circumstances is this House called upon to change its policy? All the great industrial interests were in a thriving state. Land alone was under pressure. Surely it would have been well, if the landlords had, before this time, considered and taken measures on their own behalf to meet the difficulties by which they were at present surrounded. As owners of land, they should have seen how best they could improve the land. They should have taken measures to encourage their tenantry to find employment for labour. But had they been so engaged? On the contrary, the country had been excited, public meetings had been called, at which all troubles had been embittered by political acerbity, and not seldom by personal invective. Of the noble Lord who last addressed the House, he wished to speak with perfect respect; he lived in the neighbourhood of the noble Lord, and he should certainly say nothing derogatory to his high character; the personal character of the noble Lord was justly held in the highest esteem; but he could not help noticing the curious manner in which the noble Lord appeared to select his topics, and to suit them to his audience. Lately, when addressing large bodies of the tenant-farmers at public meetings, the noble Lord told them that it was idle to think of occupying land, and that as to paying rent it was entirely out of the question; that the landlords and tenants were rowing in the same boat, and must all be ruined together. But the thing he complained of was this, that they would not row—they would neither take an oar themselves, nor encourage others to do so; the stream was strong, the cataract thundered below, but they told their crew that there was no use in disturbing their minds, no use whatever in struggling. The noble Lord opposite was a great master of the human mind: he knew that it was a common failing of his countrymen to like to be told how very ill they were off; the noble Lord told the farmers they would be ruined, and he was cheered; that they could pay no rents, and he sat down amid thunders of applause. But the noble Lord would to-morrow have to go back to the country, and to tell his hearers that the battle of protection had been fought and lost. Then they would ask what was to be done? It was not for him to answer that question. It was a very delicate question: it might be a very difficult question to answer—it involved considerations between landlords and tenants, with which he would not have meddled, but these announcements of the noble Lord extended far beyond his own immediate sphere. He had begun by saying that he spoke there as one of the landed interest, and he was unfortunately an owner of bad land, therefore liable to suffer more than those who were owners of good land. Now, it happened that he had recently had a farm out of cultivation; a tenant-farmer came to look at it, but he observed, the Marquess of Granby had told them that they were to get back protection, and he would wait and see how events turned; and thus uncertainty, attended by all its evil consequences, aggravated our difficulties. Something was said in the Amendment about local burthens. Did the noble Lord act as a magistrate? The noble Lord said no. He wished the noble Lord would turn his attention to the management and reduction of county rates. These rates were self-imposed, they were under the control of the justices. They were of great importance, and nothing like that economy was observed in their administration which might be found in the management of public affairs. In his own county, on one occasion, he had found by instituting a strict examination, that out of 130 items charged in an account, 97 were illegal, and could not be supported by any existing law. As to the future prospects of agriculture, he could not doubt that the loss of the exclusive supply of the great markets of this country would for a time be prejudicial to the agricultural interest; but it was the duty of those who were connected with that interest, either as landlords or occupiers, to make the best arrangements in their power to meet the altered state of things, and not to assume beforehand that the difficulties were of that extreme nature which the advocates of protection asserted. Already there were indications of those qualities by which those difficulties were to be met by the farmers. There was a greater discrimination as to the value of different qualities of land than tenants were formerly in the habit of bestowing on that matter. Good land now found tenants readily, while bad land could scarcely be let at all. As he had said, he was not one of those landlords who were fortunate enough to own much good land; but if the result must be that some diminution of his income should take place, he should find consolation in the additional security of land, when it rested on its own firm basis, instead of being supported on the crutches of law—in belonging to a rich and prosperous community, instead of a poor and declining one. It was the commerce and manufactures of the country that had given the value to the land; to commerce and manufactures we must look to restore and to uphold its value. He had had a seat for many years in that House, but he had never given a vote with more confidence in its right, in its justice, and in its necessity, than he should that night give against the Amendment.

Lord NORREYS could have understood the necessity for an Amendment if no allusion had been made in Her Majesty's Speech to the depressed state of agriculture, and if no other opportunities would be afforded for the discussion of agricultural taxation during the present Session; but as there would be more than usual opportunities for discussing the question of taxation, from the fact of there being a surplus in the revenue, he saw no necessity for that part of the Amendment. Whenever the question of taxation came fairly before the House, he should consider it his duty, as the representative of an agricultural constituency, to endeavour to obtain such relief as was practicable for the landed interest. He had resisted the Motion of the hon. Member for Buckinghamshire last year, because, there being then no surplus in the hands of the Chancellor of the Exchequer, he did not think it a very honest course to be voting one day for the maintenance of establishments, and then next day to be holding out to the agriculturists the possibility of reducing several millions of local taxation. He expressed a hope that some real and specific measures would be proposed, and not mere motions for committees, or vague resolutions, which he characterised as delusions on the agricultural body. He saw no advantage in that part of the Amendment which alluded to recent legislative measures. It evaded the question of any opinion on future legislation on protection, whilst it was, he thought, calculated to give an indirect encouragement to that agitation which had lately been carried on, and which he conceived was keeping up a panic prejudicial to the agriculturists, and raising false hopes and expectations amongst them. The agriculturists had been told in 1846 that they had only to stand out against any change whatever, and that they were certain of success. It had appeared to him that those who were holding that language were exciting hopes which would be disappointed. It was equally clear to him now, that those who in 1846 had raised expectations which were disappointed, and who were now holding out a moderate duty on corn, were a second time leading on the agricultural body to indulge in hopes and expectations which were again doomed to be cruelly disappointed. He thought the only prospect of relief for the land was such as could be obtained by a reduction of taxation, from a wise and prudent economy in the public expenditure; and as there would be various opportunities during the present Session for the consideration of that subject, he could see no advantage to be derived by departing from the usual course on these occasions by the introduction of an Amendment to the Address to the Throne.

Captain PELHAM said, as a new Member, he had some justification in taking up the time of the House, and he hoped he should be able to satisfy hon. Gentlemen that he had some reason for addressing them on a subject which, personally, was not agreeable to him. He had been long anxious to avoid the duties of public life; but having taken the step to come into Parliament for a most independent borough, he considered it his duty on the present occasion, in consequence of the turn the debate had taken, to refer for a moment to the county of Lincoln. He was the only Member within that county who had been returned to that House on free-trade principles; and he admitted that the Amendment which had been proposed, coupled with the remarks made upon it by the hon. Mover, had placed Gentlemen like himself, who were connected closely and intimately with the agricultural interest, in some little difficulty with regard to the vote he should have the honour to give for the first time in Parliament. He would commence by saying that if he took, as he did, his place upon the Ministerial benches as a free-trade Member, he was not disposed to yield to the hon. Gentlemen on the Opposition side of the House the exclusive right of arrogating to themselves the title of being the farmers' friends. It had been assumed by these hon. Gentlemen that Her Majesty's Government and their supporters were indifferent to that distress which, there was no question, prevailed in the agricultural districts of the country. Now, if he supposed that that imputation was founded in justice, he should have no hesitation, from the respect he felt for that class of the subjects of the empire, the landowners and occupiers of land, to vote against Her Majesty's Ministers; but so far from that being the case, he believed that there was no disposition to turn a deaf ear to the statements of hon. Gentlemen opposite, made on the part of the agricultural interests of this country, and that Her Majesty's Government had exercised a wise discretion in not adopting such terms as were now proposed to be introduced into the Address. His hon. Friend the Member for South Lincolnshire had last night made some remarks, in many of which he (Captain Pelham) cordially concurred. That hon. Gentleman had addressed the House in a tone and manner which reflected credit; and, sharing as he (Captain Pelham) did in some respects the opinions then expressed, he felt it incumbent on him to state shortly why he was not prepared to vote for the Amendment. He could not forget, that on the opposite side of the House sat those who were in the habit, not of contenting themselves with saying that the agricultural interests were in distress, and that there ought to be alleviating measures passed to enable them to get through the difficulties of that distress, but that it was possible and desirable to return to a system of protection for the maintenance of those interests. Therefore, with every respect for hon. Gentlemen opposite, he viewed with suspicion the wording of the Amendment. He believed, that if successful in defeating Her Majesty's Government on the present occasion, they would not content themselves with acting on the terms of that Amendment, but that they would endeavour to do that which they maintained was necessary for the prosperity of the landed interest and the interest of the country at large, namely, to go back to that system of protection which had been abandoned by the general sense of the country. He conceived that the landed interest had great reason to complain of the manner in which, in some respects, they had been treated. He was not surprised that hon. Gentlemen should complain of the manner in which the corn laws had been repealed; but when they went back to the country, and said that the measure had been carried by stealth, he begged to remind them that since the right hon. Baronet the Member for Tamworth had proposed the repeal of the corn laws, there had been a general election, and that the public opinion of the country had then ratified the change. He believed that the prosperity of the landed interest did not depend on measures conceived in the spirit which had characterised all the corn laws that had passed that House from 1815 to 1846, but that it depended on the general prosperity of the country. He might, without presumption, profess to be conversant with the opinion of the agricultural interest; and in the views he should express he could not be accused of being indifferent to the success of the experiment of free trade. He thought, then, the conclusion had been hastily drawn that the experiment of free trade had totally failed. He would maintain that free trade was still an experiment, and he regarded the present distress with great confidence, as not being likely to be permanent. The present low prices had been, he thought, caused by the stimulus given to production abroad, and he did not believe that the importation in ordinary years would equal what it had been of late; but at the same time he was sufficiently acquainted with the agricultural interests, to feel that those interests, subjected as they were to competition, ought to be relieved from the burdens of taxation. He would not confine himself entirely to matters of local taxation; he had always looked forward as a consequence of free trade to the necessity which would arise and lead to a revision of the taxation of the country. There was one measure which would be of great service to the agricultural interest—he alluded to an alteration of the law of settlement, which would greatly affect the condition of the agricultural labourer and occupier of land. He contended that the time had arrived when the total abolition of the law of settlement was demanded by the interests of the working classes, and more particularly by the employer of the agricultural labourer, in order to carry out that proper system of cultivation which ought to take place. He went further, and said that there were great difficulties in the way of landowners in this country in giving that encouragement, by the application of skill, industry, and capital, to the cultivation of land, which they were called upon to put in practice by the Ministerial side of the House. He believed that in a minor degree measures similar to those adopted to facilitate the transfer of property in Ireland would be necessary also in this country. But in giving his support to propositions intended for the relief of the agricultural interest, he never would be prepared to advocate any measure which, while benefiting one class, would do injustice to other classes. His objection to the corn law had been this, that it was unjust to other classes; and, that being unjust to other classes, it was eventually prejudicial to that interest for whose behoof it was more particularly enacted. If, then, he supported Her Majesty's Ministers on the present occasion, he by no means meant to preclude himself from exercising his judgment upon all those discussions of the Session, which hon. Gentlemen connected with the agricultural interest might feel disposed to originate. At the same time, let not these hon. Gentlemen expect him to take the step in a hurry which the hon. Member for West Gloucestershire seemed to have taken—to vote against Her Majesty's Ministers. There might indeed be occasions when he would sacrifice his own private opinions, in order to keep out of office those who, he believed, would not be content with such a moderate proposition as that now before the House, but who would wish to return to that vicious system of legislation which he, for one, though interested in the prosperity of agriculture, congratulated himself had been abandoned by the deliberate opinion of the country; and he must say upon this point that he considered it very unfortunate that the farmers of England should at this moment be bolstered up with the delusive prospects which were being continually held out to them by hon. Gentlemen on the other side of the House. At the same time, although upon the present Motion, he should be found voting with the Members for large constituencies in the north of England, yet he could not approve of the language of opprobrium, reproach, and menace which some of those hon. Members had used towards the agricultural interest. If they thought it right to use such language before their constituents, he hoped they would not degrade the character of that House by treating with contumely the complaints and constitutional demands of the country interest, however mistaken they might think them. He had now stated the grounds upon which his vote would be recorded, and he had to thank the House for the kind and patient attention with which this, his first address, had been received.

Mr. CHRISTOPHER would have been more satisfied if his hon. and gallant Friend had followed in the wake of his noble relative (the Earl of Yarborough), with whom he (Mr. Christopher) had been so long associated in defending the cause of agricultural protection within the walls of that House. The hon. Member for Malton and other hon. Members had professed to congratulate themselves that this important issue would be determined by the vote of to-night. Now, he could tell them that they were most grievously mistaken. The present course taken by that (the protectionist) side had been forced upon them by the manner in which the agricultural interest had been mentioned in Her Majesty's Speech. Her Majesty's Ministers in that Speech did not sympathise with the agricultural interest; they did not even acknowledge that any distress existed; and in proposing the Amendment, they were not actuated by the slightest idea of showing disrespect to Her Majesty, for they treated the Speech as that of Her Ministers only. [Colonel Sibthorp: Hear!] Her Majesty's Ministers did not even acknowledge the existence of any well-founded cause of complaint on the part of the agriculturists. They did not even acknowledge that any distress existed at all; and therefore it was that he, as an independent Member, having seen the distress that prevailed in his own county, came forward to oppose the Address. He had witnessed the deepest distress in his own neighbourhood; and he had lately seen his county (Lincolnshire) assemble in the most inclement weather for the purpose of declaring their distress, and calling for relief from the Legislature. That meeting, too, was not called by the owners of land. No, they were, on the contrary, rather backward, and they were accused of being apathetic in consequence. But when they were spoken to upon the subject, they replied that the requisition should be first got up and the meeting organised by the tenant-farmers, and not by the landlords, and then they would follow. The tenant-farmers of Lincolnshire sent round the requisition of their own accord for signature, and then forwarded it to the high sheriff of the county, and he did not believe there was a single signature of a landlord affixed to it until the farmers had all signed. The result was a meeting of upwards of 15,000 people; and to show that the labourers fully agreed in the objects of their employers, he should state that they were gathered in crowds round the railway station, where they cheered loudly every train that arrived, bringing fresh numbers to the meeting. He could, therefore, deny the assertion made in the manufacturing districts, that this was regarded as a landlord's question, and not as a tenant's or labourer's question. He believed it would be found that the pauperism of the county of Lincoln had increased to a very alarming extent. They were told the remedy would be found in farming high, and in bringing sufficient capital to the cultivation of the soil. Now, if it were true that the poor-rates had enormously increased in that county, where the general system of management and of letting the farms was so good as to afford an example to the whole of England, what must be the ultimate effect upon the rest of the English counties? They were told by the hon. Gentleman who moved the Address, that the landed interest ought to act upon the mercantile system of buying in the cheapest and selling in the dearest market; but it was forgotten that in all the operations connected with the land, especially in those districts where the poorer soils had been brought into cultivation, the amount of rent to the farmer was a very small sum in the expenditure—so much so, that in the course of the ordinary fluctuations of the county market, the amount of a very few shillings a quarter in the price of wheat would absorb the whole rental of the farm. He would submit to the House some practical observations bearing upon the present condition of farming, for the truth of which he was able to vouch. They related to a farm in his own possession, situated in one of the poorer districts, and composed of land which fifty years ago was not capable of producing anything like a quarter of wheat an acre, but which now produced four quarters an acre; and he wished it to be understood that he was not quoting a singular instance, but one which was equally applicable to thousands of acres in the county of Lincoln.

Comparative Statement of the Debtor and Creditor Accounts of a Farm before and after the Introduction of Free Trade; the Farm consisting of 300 acres of Wold Land on Chalk; 90 acres of Marsh Land on Clay; and 90 acres of Permanent Pasture, adapted to the breeding of Cattle and Sheep, and cultivated on the Four-field Rotation of Crops. Total 480 acres.

Case 1.—Wheat, 56*s*. per quarter; Barley, 32*s*.; Oats, 22*s*.; Beans, 36*s*.

Dr.				£	*s.*	*d.*
Rent of farm, including tithes				650	0	0
Rates, taxes, drainage, and other parochial assessments				80	0	0
Interest of capital, 6*l*. 5*s*. per acre=3,000*l*., at 10 per cent				300	0	0
Interest on additional capital, 1,500*l*., at 5 per cent				75	0	0
Interest of money expended in buildings at Orby, by the tenant, with a term of fifteen years to liquidate				30	0	0
Artificial manures, namely—						
20 tons of cake, at 10*l*.	£200	0	0			
40 quarters of bones, at 20*s*.	40	0	0			
Sulphuric acid for do.	25	0	0	265	0	0
Manual labour				350	0	0
Servants' wages, namely—						
Two foremen at 40*l*. each	£80	0	0			
Three waggoners, or ploughmen, at 10*l*.	30	0	0			
Shepherd and yardman, 35*l*. each	70	0	0			
Board of three ploughmen, at 6*s*. per week each	46	16	0	226	16	0
Tradesmen's bills, namely, blacksmith, carpenter, saddler, farrier, &c.				80	0	0
Grass seeds, insurance, &c.				40	0	0
Casual loss on live stock				50	0	0
				2,146	16	0
Surplus to remunerate for capital, living expenses, and profit				297	14	0
				2,444	10	0

				£	*s.*	*d.*
210 acres of corn in all, namely—						
Wheat, 100 acres (70 acres wold, 30 acres marsh) 3½ quarters per acre, after deducting for seed, 10 pecks per acre, 350 quarters, at 56*s*.				980	0	0
60 acres of barley, 4½ quarters per acre, after deducting for seed, 270 quarters, at 32*s*.				432	0	0
Carried forward...				£1,412	0	0
Brought forward...				1,412	0	0
50 acres beans or oats, after deducting for seed and horses; 6 quarters per acre of oats, or 3½ quarters per acre of beans				322	10	0
Profits on live stock, namely—						
Sheep—120 hogs, at 40*s*.	£240	0	0			
60 ewes (either as drapes or fat), at 40*s*.	120	0	0			
90 tods of wool, at 28*s*.	126	0	0	486	0	0
Beasts—viz., 10 two-year-old steers, annually sold at 14*l*.	140	0	0			
8 drape cows, at 10*l*. 10*s*.	84	0	0	224	0	0
				£2,444	10	0

Case 2.—Wheat, 40*s*. per quarter; Barley, 22*s*.; Oats, 14*s*.; Beans, 25*s*.

Dr.				£	*s.*	*d.*
Rent of farm, including tithe (no alteration)				650	0	0
Rates, taxes, drainage, and other parochial assessments (as before stated)				80	0	0
Interest of capital, 3,000*l*., at 10 per cent				300	0	0
Interest of additional capital, 1,500*l*., at 5 per cent				75	0	0
Interest of money expended on buildings at Orby, to run out in 15 years				30	0	0
Artificial manures, namely—						
Cake, 20 tons, at 8*l*.	£160	0	0			
Bones, 40 quarters, at 15*s*.	30	0	0			
Sulphuric acid for do.	20	0	0	210	0	0
Manual labour (16 per cent deducted)				294	0	0
Servants' wages, namely—						
Two foremen, 35*l*. each	£70	0	0			
Three waggoners or ploughmen, at 9*l*.	27	0	0			
Shepherd and yardman	60	0	0			
Board of 3 ploughmen, at 5*s*. per week each	39	0	0	196	0	0
Tradesmen's bills (as before)				80	0	0
Grass seeds, insurance, &c.				30	0	0
Casual loss on live stock				50	0	0
				£1,995	0	0

N. B. The 90 acres of permanent pasture, and 110 acres of grass seeds, either depastured or mown, contribute to the rearing and maintenance of the live stock as well as 80 acres of turnips, the whole of which are consumed on the farm. (By the term "grass seeds," may be comprised tares mown for fodder.)

Cr.	£	*s.*	*d.*
210 acres of corn, namely—			
Wheat, 100 acres, at 3½ quarters per acre, after deducting for seed, 350 quarters, at 40*s*.	700	0	0
Carried forward...	700	0	0

				£	s.	d.
Brought forward...				700	0	0
Barley, 60 acres, at 4½ quarters per acre, after deducting for seed, 270 quarters, at 22*s.*				297	0	0
Beans or oats, 50 acres, at 3½ quarters per acre of beans, and 6 quarters per acre of oats, after deducting for seed and horses...				214	7	6
Profits on live stock, namely—						
Sheep—120 he-hogs, at 30*s.*	£180	0	0			
60 drape ewes, at 30*s.*	90	0	0			
90 tods of wool, at 24*s.*	108	0	0			
				378	0	0
Beasts — 10 two-year-old steers, at 12*l.*	120	0	0			
8 drape cows, at 9*l.*	72	0	0			
				192	0	0
				£1,781	7	6
Deficiency from meeting engagements, namely, rent, expenses of management, and interest of capital				213	12	6
				£1,995	0	0
Deficiency as above				213	12	6

Now, what was the consolation held out to them by the right hon. Gentleman the Chancellor of the Exchequer? He told them that they had recovered from as great a depression as the agriculturists in 1835. The two cases, however, were very different. In 1835, there was great depression in consequence of the great abundance of the harvest; but now the evil arose from the admission of foreign corn, which was brought in at the rate of 1,000,000 quarters a month, and in a year of unusual abundance at home they were exposed to the competition of all this foreign grain. It might be said, this importation was beneficial to the country at large, and that the agriculturists were bound to remain silent; but he wished to know on what grounds those who held out the prospect of prosperity to the farmers based their statements. The Chancellor of the Exchequer held out to them the hope of prosperous times; but if they were not to obtain better prices for agricultural produce, he should like to know how that prosperity was to be realised. He ventured to say, that if the present policy was persevered in, instead of having the agricultural districts in a flourishing state, they would, in course of time, have the wretched scenes of misery and famine that had been witnessed in Kilrush enacted in every union in England. The reason why, on the present occasion, they had departed from the usual course of acquiescing in the sentiments of the Speech, was because they had been compelled to take that course from the terms of the Speech itself. For himself, even if he had stood alone, he could not have expressed acquiescence in the statement that there were merely complaints from the agricultural districts—as if those complaints were a mere shadow, a delusion, and were made merely for the sake of keeping up the rents. He was willing to admit that, in times of comparative scarcity, corn should be admitted from all the markets of the world; but it did not follow that such should be the ordinary rule of procedure. They were told that duties should be levied only for purposes of revenue, and that this was so in all cases where they were now imposed. This might be all very well; but, whether they were for purposes of revenue or not, they operated as a protection in favour of the particular interest to which they related. Why did they keep up their present excise laws? The fact was, the agricultural was the least favoured interest in the country. If he were told that it was impossible to grow the tobacco plant at any profit in this country, he would only ask that they should give them a trial. He asked for free trade to that extent, and that the farmers should be allowed, when they found that they could not grow wheat on account of the competition of the foreigner, to grow something else. If they were told they could not grow tobacco, because there would be no profit, his answer was, that that was the farmers' affair only. This, however, he did know, that there were soils in this country and in Scotland which were better fitted for the growth of tobacco than any of the soils in Germany; this he was able to say, from having been made acquainted with the process of cultivating the plant when he was in Germany. In conclusion, he begged to express his ready concurrence in the Amendment, for which, accordingly, it was his intention to vote.

MR. TORRENS M'CULLAGH: I wish to disclaim on my own behalf, and on that of many who sit around me, the imputation which has been cast upon this side of the House, that in opposing the Amendment of the hon. Baronet, we deny the prevalence of agricultural distress, or desire to evade the acknowledgment of its intensity. For one, I can truly say that I would not support the Address if I conceived that it implied anything of the kind. But I believe that it was not so intended by those who framed it; and I am sure that it will not be so understood by the country. We differ with you not as to the fact of distress, but as to the remedy, and as to the cause. The hon. Gentleman who has just sat down is probably much better acquainted than I am with the state of feeling on this important subject in England; but the Amendment contains the significant phrase, "especially in Ireland;" and I may be pardoned for saying that I think I know what are the sentiments of the people of that country, at least, as well as the hon. Gentleman. Were I as disposed to be hypercritical regarding terms as that hon. Gentleman, I might construe his account of the manner in which agricultural meetings have been got up in certain counties during the autumn as an unintentional admission of what has uncharitably been laid to your charge on more than one occasion, namely, that the tenant-farmers have been put forward in the front of the battle, and that the proprietors of land were anxious to commit those whom they could influence, to take part in this controversy, before they came forward themselves. But however this system of management may have been pursued, or however successful it may have been in England, it certainly did not seem to answer on the other side of the Channel. You have called upon the people of Ireland for sympathy and support upon the question of protection, and your call has been in vain. You asked the verdict of the towns of Ireland, and their verdict is against you. You appealed for judgment to the agricultural classes of Ireland, and their judgment has been given in condemnation of your policy, and in bar of all your propositions for a return to protection. From one end of the kingdom to the other, from Kerry to Down, and from Wexford to Mayo, the same response has been unmistakeably pronounced, that to the labourers and occupiers of land no benefit would accrue from a reversal of the policy of 1846 regarding free trade, or a reversal of the policy of 1847 regarding the poor-law. Bitter experience of the system, of which protective duties and no efficient poor-law formed essential parts, has taught the industrial classes in Ireland that they have nothing to gain by its resuscitation. At the last—the eleventh hour they have severed causes with you; and there is nothing which they less desire than to see restored again that unnatural system, under which they have not forgotten that they sank into a physical condition which was a disgrace to the empire, and a byword throughout the world. The hon. Baronet the Member for Radnorshire (Sir J. Walsh), has told us, that until very recently Ireland "enjoyed" protection. Let me remind the House what sort of enjoyment that was, whose loss we are expected to deplore. I shall not advert to the year 1835, or any other year when the country was exposed to that terrible affliction, a superabundant harvest. I will not take for illustration a year of extraordinary depression of price, or adversity of the seasons. I will ask you to recur to the condition of things which existed in Ireland in 1834. I do so for two reasons—first, because its features are indelibly impressed upon my own memory; and, secondly, because the average price of wheat for the five preceding years having been above 60*s*., nobody can say that it is not a fair period to take as an example. Such were the statements made to Parliament at that time of the state of the labouring population with respect to the want of employment, and such the condition of things regarding the occupancy of land, that this House, in an Address to the Crown, requested that a Commission of Inquiry should be appointed to investigate locally and minutely into the truth of the allegations made, and to report the result. I had the honour of being entrusted with a portion of that inquiry, and I can speak with confidence, therefore, of what we found. The hon. Baronet (Sir J. Trollope) alluded last night to what had been done in Lincolnshire under protection. I will tell the House what was done and left undone in Galway—a portion of the Queen's dominions not less in area or population—during the existence of the same legislative system. That county was one of those into the condition of which it became my duty to examine. And what did I find? That notwithstanding all the vaunted benefits of a high price for corn, agriculture was so backward and production so limited, that pasture was the rule, and tillage the exception; that want of agricultural employment was general and permanent, while remunerative wages for a day's work was comparatively rare. Nay, down to the latest days of protection the same features are observable, indicative of the want of agricultural improvement. Out of 742,805 arable acres, there were in 1847 not above 172,345 acres under tillage crops suitable for human food. For the purposes of the inquiry to which I have referred, I selected for specific investigation parishes dissimilar and remote from one another, in order that I might be enabled to form a fair general estimate. Among them was the parish of Killimore, a secluded district, wholly agricultural, but having the advantages of a fertile soil, and of being situated about equidistant from the port of Galway, and the Shannon. It happened to form part of the only barony in the county which had been placed under the operation of the Coercion Act of 1833. That Act vested a discretionary power in the Lord Lieutenant to proclaim any district where disturbances prevailed; and Lord Wellesley had deemed it necessary to proclaim the locality in question. The Act had been passed upon the express ground that such was the popular distrust and discontent prevailing in many parts of Ireland, chiefly arising out of contentions about land, that extra-constitutional restraints were needful. I thought this was manifestly a district, therefore, into the social condition of which I ought to inquire. Persons of different classes and of different creeds were examined in each other's presence, and were invited to corroborate or to controvert, as they might be severally disposed, each other's testimony. I succeeded in obtaining from various witnesses an enumeration of the labourers in the parish, and the amount of work they could ordinarily obtain. The result was, that out of 800 labourers there was not employment, putting all the broken days' work together, for more than 100. I will give you some of the answers I received in the words of the witnesses themselves. One man said—" We grow the corn, but we don't know the taste of meal or flour." Another said—" We can rear the pig, but we cannot eat the bacon." Another said —" For fifty miles round everything that is reared or grown is sent off to foreign markets"—meaning thereby to Liverpool and other English ports. [*Cheers from the Protectionists.*] I understand that cheer; but let me tell hon. Gentlemen that nothing more foreign to the feelings or wishes of the Irish people can be conceived than the proposal which is made of surrendering them once more to the " enjoyment" of protection. A more unwise course could not be taken if the object be to obliterate mutual feelings of alienation between the people of the two countries, than to preach the doctrines recently promulgated in Ireland that the industrial classes there have interests at variance with those of the industrial classes here. There was, indeed, one trade which had enjoyed unparalleled prosperity during the continuance of protection — the trade in mortgages. Those who wanted to borrow on the security of rent, had never found capital so cheap; and those who wanted good security for permanent investment, had never before found it so easy to derive four or five per cent from land, without incurring any of the responsibilities incident to its ownership. But how did these facilities and gains improve the physical or social condition of the country? While borrowers and lenders of money on land were enjoying protection, the mass of the population were daily sinking into poverty—a poverty, from participating in the alleviation of which these two favoured classes were, until the passing of the poor-law of 1847, legally free. And part of the retrogressive policy which Gentlemen opposite seem now disposed to recommend, is the practical repeal of that law. You would narrow the area of taxation—you would circumscribe the extent and nature of relief—you would in every way break down that fence so lately raised between the outcast peasantry and starvation. I am confident that this House will never be induced to retrace its steps in this respect. I fully admit that beyond a certain point distress cannot be remedied, though it may be mitigated, by a poor-law. But my belief is, that it is in the power of Parliament to do much towards reconstituting society in Ireland on a basis that will alike tend to the welfare of the occupiers and the owners of land. A good Landlord and Tenant Bill would do more to stimulate employment and improvement, to abate the pressure of rates, and to secure the ready and cheerful payment of reasonable rents, than any other expedient or device that can be named. There is one body of men in Ireland whose opinions on the urgent necessity of giving, by law, the tenant compensation for whatever improvements he may make on his farm, is entitled to peculiar regard—I allude to the clergy of the different denominations. Associating with the middle classes of the people, and bound up with them by sympathy and feeling, these men have hitherto been looked upon too frequently as the leaders of rival parties. But however they may still continue to differ on sectarian matters, they are unanimous on this subject. I think such unanimity is a pregnant sign of the times, not to be mistaken. Let any one who values the stability of his order, if that narrow ground must be taken, or who extends his view to the welfare of the nation at large, ask himself seriously whether it is wise to keep up a dispute, which the terms of the Amendment do not indicate any means of settling, and which we have heard hon. Gentlemen boast during this debate they do not hope to set at rest for many a day to come—a dispute the most exciting that has recently been known in the annals of agitation? In Ireland it is no longer a question of Catholic or Protestant—but of Catholic and Protestant. The Presbyterian clergy of the north seem to have taken a lesson, or rather to have undertaken to give a lesson, to the Catholic priesthood of the south in the art of agitation. Most remarkable language has been held in that county of Ulster, which was supposed to be a perfect model of constitutional propriety, meekness, and endurance. The noble Lord (Viscount Castlereagh) who represented that county, has lately published a letter, to which I refer with the greater pleasure, because I am confident that it only expresses with peculiar felicity the sentiments of the wisest and best men throughout the kingdom. Everywhere the same conviction gathers strength—that a return to protection is undesirable, and that a sound law of tenant compensation ought no longer to be withheld. The people of the towns in Ireland do not believe that it would mend their condition to pay more for their bread; the people of the country do not believe it would serve their interest to pay more for their land. But the want of some established tenant-right is keenly felt by both. Under the present system of letting land in Ireland, those occupiers who have increased the production of the country, in thirty years, from eight to sixteen millions, do not feel any interest in the permanent improvement of the land; still less can they be brought to believe that it is for their interest that the high price of land is proposed to be kept up. Until legislation is so framed as to induce a change of feeling in the tenantry towards the landlords it is wholly impossible that permanent contentment should prevail in Ireland, or that there should be a subsidence of those angry passions which we must all deplore. The noble Lord opposite (the Marquess of Granby) seemed to be exceedingly uneasy as to the course likely to be taken towards this country by the United States. It is certainly something new to hear the Government of the United States held up as an authority, and praised by hon. Gentlemen opposite. I have no objection to this; but if there be one quality in which all would agree that Government was not deficient—it is their aptitude in taking good care of their own interests. The noble Lord seems greatly afraid of the threat thrown out by somebody—of a refusal to take some ten millions worth of our manufactures. It might be supposed from this, that it was a matter of pure beneficence, free choice or caprice, which led the people of the States to take so largely of our manufactures. But have they not, in return, a large market for their agricultural produce? We are not in the habit of giving away our manufactures any more than they would give away their grain. As to the article of raw cotton, I do not believe it is in the power of any Government of the United States, except by a total and fundamental change in the constitution of the republic, to impose any duty whatever on that article. Before that could be done, it would be necessary to change the opinion, not of a majority only, but of two thirds or three-fourths of the American people.

MR. ROBERT PALMER said, he was anxious, in the course of this debate, to offer a few observations on this important question, not so much because he hoped to offer anything new on the subject—for really when Gentlemen considered what had taken place in that House in the year 1846, on the general debate on the question of the repeal of the corn laws, every person who rose to address the House had a considerable difficulty to contend with; nevertheless, holding the position he did, as the representative of a purely agricultural county, he should feel himself wanting in duty to those who had done him the honour to place their interests in his charge, if he did not attempt, in some degree, to set forth their grievances when he had an opportunity of doing so. His hon. Friend the Member for Malton asked those who advocated protection what object they had in view in supporting this Amendment. He said that the question was not now whether the corn laws were to be repealed or not. That question his hon. Friend said had been settled long before, and that the question now only was, whether a few words should be added to the Address; but he (Mr. Palmer) thought the House would agree with him that those few words were of great importance. Her Majesty, in the Speech from the Throne, had no doubt alluded to the complaints which had been made by the owners and occupiers of land in various parts of the country, and Her Majesty likewise expressed Her regret that any portion of Her Majesty's subjects should be suffering under the pressure of distress. He was sure that none would for a moment suppose that any other feeling but that of kind sympathy would ever find place in Her Majesty's breast; but then when he looked to the language of the Speech, he found it did not go on to allude to that distress, but expressed Her Majesty's regret at what were called "the complaints which in many parts of the kingdom have proceeded from the owners and occupiers of land." He acquitted the noble Lord and those with whom he acted of any intention to cast a slight on the distress of the agricultural population; but he must be pardoned for saying that the words were so placed in the paragraph of the Speech that the people would not look at them as mere idle expressions. But it was for them to show how far they could justify to those whom they represented—especially after what had taken place in the country a short time since—the allowing this paragraph to pass without notice, and without expressing their opinion as to the extent of the distress, and the cause of it. Therefore he said these words which his hon. Friend the Member for Malton had merely alluded to as a few words to be added to the Address, and therefore of little or no importance whether added or not—it was for that reason they had become of more importance in his opinion. Because those words declared "that in many parts of the United Kingdom, and especially in Ireland, the various classes of Her Majesty's subjects connected with the cultivation of the soil are labouring under severe distress;" and the Amendment went on to say as to the cause of that distress that it was "mainly attributable, in our opinion, to recent legislative enactments, the operation of which is aggravated by the heavy pressure of local taxation." They contended that the existing distress was mainly attributable to the course of policy commonly called free trade, which that House had thought proper to adopt. Now, with respect to the general distress of the country in the agricultural districts, he would confine himself to that point, and he presumed that the fact of its existence was generally conceded; he spoke from his own personal knowledge, and from the opinions of those who were placed in this painful position. They complained that they were suffering under a degree of pressure which for many years past they had not experienced; and which they felt great apprehensions they should not be able to overcome. From week to week the markets for produce were daily falling, and there appeared to be no chance of a rise in prices. The hon. Member for Malton asked what hon. Gentlemen on the opposite benches had been about in the different counties for the last two months; and he stated that they had been exerting themselves for the purpose of agitating and exciting the public mind on this question; and in some instances, it had been stated that under this system of free trade the tenant-farmers could never pay the rents to their landlords, and that the land must go out of cultivation, and it was believed that the landlords got up these meetings. He (Mr. Palmer) admitted that some gentlemen at those meetings might have argued this point rather strongly; but as far as his own county was concerned, he had the pleasure of attending a county meeting on this subject, and so far from the landlords having anything to do with the getting up of that meeting, his persuasion was that if it had not been for the tenant-farmers meeting together on market days, and complaining of the distress they were suffering, and being determined in every constitutional manner to express their opinions at county meetings, there would have been no meetings at all. So far from this being a landlord's question, or that the landlords had called those various meetings in Lincolnshire and elsewhere together, it had been purely a tenant's question, and they came forward to impress upon their representatives and upon their landlords the propriety of taking strong measures to relieve their distress. What the tenants complain of most justly was, that they were hardly able to meet their engagements. Those who had leases would, as far as possible, pay their rent, but they were paying their rent out of their capital, and not out of the profits from their land. It happened in many parts of the country that there were a great number of respectable men — not men of capital— who had been living on the same properties from the time of their fathers, grandfathers, and possibly great-grandfathers in succession, and who lived almost from hand to mouth; and surely those deserving men should not be exposed to an unfair competition with the foreigner. Now, with respect to the cause of this distress, he should be prepared to contend that it did not require any great research to ascertain from what it had arisen. He was prepared to say that it was undoubtedly the necessary consequence of the law which the Legislature had thought proper to adopt in the year 1846. It was doing away with all these duties, which operated, to a certain extent, to protect the interest of the British farmer. With respect to the cause of the depression, that question was disputed. It was stated that there was a variety of other causes which had produced this distress, but that it was by no means to be attributed to the importation of foreign corn. He would not go at any length into details, he would merely state what had appeared to have been imported in the year 1849, of wheat, barley, and flour. This was taken from what was considered the organ of the agricultural interest, the *Mark Lane Express*, showing the average of every week. He had taken the account a fortnight ago; at that time there had been imported of wheat 4,491,635 quarters, which, if the consumption was taken at 20,000,000 of quarters, as had been stated by the Mover of the Address, amounted to nearly one-fourth of the consumption; barley, 1,435,508, besides an addition of flour of 3,609,601 cwt. These imports were concurrent with an abundant harvest; and to this fact they might attribute the low prices of agricultural produce. Then, he contended, the effect of such a state of things must necessarily be most injurious to the farmers of England. How did this pressure operate on other parties? Why, it operated upon the shopkeepers and tradesmen in country towns, and upon the poor labourers. He would venture to say that there was no class of persons who would feel the distress of the agricultural body more quickly or severely than the retail tradesmen in country towns. He knew several persons who, not long ago, were the advocates of free-trade principles, and wished to try the experiment, who had since found that their returns were falling off, and that the orders received from the farmers were now only one-half or one-fourth of what they used to be. He said it would be absurd to say that cheap bread must not, under ordinary circumstances, be most beneficial to all classes of the community; as a general principle, it must be a benefit to have provisions at that rate at which the people could afford to pay for them. But he contended it did not necessarily follow that the agricultural labourer—the individual who depended upon employment upon the soil (that employment being found him by the farmer)—that that person should be in a better position because the price of bread was reduced to a very low amount. He might quote the opinion of an hon. Baronet, a friend of his, to prove that cheap bread, to be bought at a low price of corn, was not necessarily a great or important benefit. He regretted to say that the effect of the cheapness of agricultural produce was a depreciation of the wages of the agricultural labourer. In his own locality—it was a populous neighbourhood, full of gentlemen's seats, some of which were not connected with large properties, but of moderate extent—there were a great number of villas, all the inhabitants of which, of course, gave employment to the labourers to a greater extent than they would obtain if the land were merely farming land; and, therefore, in his neighbourhood the rate of wages had not been reduced beyond what they were last year. But when it was stated that wages had considerably decreased, he believed it would be found that on the borders of Wiltshire the wages were not more than 7*s.*, and in some places less, per week. Then, he would ask the House, of what advantage was it to the labourer that bread should be so cheap, if he had not the means wherewith to procure it? He thought it would be better for men in that situation of life to have bread dearer, and wages not so low as they were. The right hon. Baronet the Member for Tamworth said, in the year 1846, that the question was not the price of bread, but what command the labourer had over that bread, and the other necessaries of life. It had been often said—and the protectionists were taunted with it when they talked of distress, and advocated a return to protection for the purpose of being placed on a fair level with other bodies—that they were not worse off than they had been in previous years when the prices were lower, as in 1832 and 1835. True it was that prices were lower in those years, but under totally different circumstances. In those years there was no importation of foreign corn; the low prices were caused by the abundance of our own produce. Persons might be distressed by a superfluity of produce; and of that, no one, he admitted, had a right to complain. But they did complain of low prices being caused by a superabundant importation of foreign grain. He was sure that there was not a single Gentleman in that House who would not rejoice that the right hon. the Chancellor of the Exchequer was able to give so flattering an account of so large a portion of the community; but the House would allow him to say that, concurrently with that state of prosperity, there was a great deal of distress among a large body of the people. The Chancellor of the Exchequer stated, that the best test of the employment of the labouring classes was the amount contributed for their relief; and, by figures which he (Mr. Palmer) would not dispute, the right hon. Gentleman went on to show a comparison between last year and 1848. In some counties there had appeared an increase, but there had been on the whole a decrease of relief to the poor; and the right hon. Gentleman argued from that, as a necessary consequence, that the labouring classes generally must be in a better position. He (Mr. Palmer) thought that argument might be carried too far. He did not think that it necessarily followed that the amount of relief afforded through the instrumentality of the boards of guardians was a just criterion of the state of the poverty of the people. He drew a distinction between pauperism and poverty. The pauper claimed relief as a right by law; poverty implied the position of a man who was not able to support himself or his family, out of the small amount of wages he was able to procure; and who would not appeal to the board of guardians till the last moment, because he did not wish to be placed in the union, and would rather starve himself than do so. Then as to poor-rates, he had seen an estimate taken in the course of a period of fourteen years. The amount of poor relief in seven of those years was greater when prices were at a lower rate, than in the other seven years when corn was selling at a higher price. But two remarkable periods might be taken more especially. The lowest price of corn during the same series of years was in 1836, the price being 39*s.* 5*d.*, but during that year the poor-rate amounted to 6,354,528*l.*; whereas in 1839 the price, the highest price, of wheat was 69*s.* 4*d.* per quarter, the poor-rate in that year being 5,613,999*l.* In 1842 the right hon. Baronet the Member for Tamworth argued in favour of a continuation of protection to agriculture, which was entitled to it by reason of the peculiar burdens which pressed on the land; and a short time ago the right hon. Baronet had alluded to the poor-rate as a peculiarly heavy burden to which the land was subject more than any other property. The hon. Mover of the Address laughed at the notion of land being subject to special burdens. But the right hon. Baronet the Member for Tamworth admitted himself, in 1842, that the poor-rate pressed with peculiar heaviness on land; and on looking back, as they sometimes did, to the debates of former periods, he was surprised to find a distinguished lawyer, now a Member of the other House of Parliament, coinciding in that view, for in a debate which took place in the year 1820 on the Motion of Mr. Home Sumner, he found Mr. H. Brougham thus expressing himself, according to the report in the *Annual Register*:—

> "Mr. Brougham supported the Motion on general principles. Agriculture, he thought, was entitled to special protection, both because many public burdens pressed unequally upon it, and because much poor land had been brought into cultivation, which could not now be thrown back into its former state, without immense misery to individuals, as well as injury to the public. In illustrating these positions, he observed, that nothing was more common than to see a manufacturer erect a fine tall building, a matter of great ornament to the neighbourhood, no doubt, but certainly of great use to him. This building was erected on a comparatively small portion of land; and within its four walls were carried on the manufacture of two very important articles—cotton and paupers! And though his manufactory produced to its proprietor an income frequently of not less than 30,000*l.* a year, yet he only paid poor-rates as for a property of 500*l.*; while his poor neighbour, who rented land to that amount, paid the same proportion, though his income was not the fourth part of his rent."

He was glad to find so distinguished a Member supporting protection. They were told they might as well think of restoring the Heptarchy as to restore protection. But let it be remembered they never assented to free trade. In 1846 they endeavoured to fight as good a battle as they could, but they were beaten by majorities of that House; they were beaten by the separation from their ranks of many persons who had previously advocated protection; but he would ask the House whether any of those with whom he was acting had abandoned the question? The Mover of the Address said that this was a settled question; but he must confess he did not think so. He could see no reason why the agricultural portion of the community were not entitled to the same amount of protection as the manufacturing, or any other branch of national industry. Now what was the farming business? Many persons considered corn a raw material; but he was not of that opinion. Land certainly was a raw material, and in many instances a very raw material indeed. He contended that corn was as much an article of manufacture as cotton. Besides, the trade of the farmer was liable to more risks than that of any manufacturer. His produce was subject to the vicissitudes of the seasons; and, after sowing his corn, he had to wait until Michaelmas before he could reap the produce of his labour. In some instances his crops might be destroyed by frosts or other accidents in the course of a few days. The manufacturer had none of these difficulties to contend with. On receiving orders from America, or any other country, he proceeded at once to work up his raw material; and, in the course of a short time, received payment for the articles supplied by him. The farmer, being subject to so many more risks than any other class, was therefore entitled to some protection. If the position of the farmer was such as he had endeavoured to describe—and he hoped he had not been guilty of any exaggeration in the statements which he had made—the question was, what ought to be done to afford him relief? It was stated in the free-trade journals that the farmers had nothing to do but to employ more capital, to grow more corn, to buy more expensive manures, to put their shoulders to the wheel, to become more skilful and industrious, and then they would be able to defy the world. That might be all very true if the farmers had their pockets full of money; but how did the case stand with respect to those who had no capital? Such assertions were something like adding insult to injury. It seemed to him that one of two courses must be pursued by Parliament. If they meant to leave the agricultural interest to chance, let them say so, and then the unfortunate sufferers must pocket the affront as well as they could; but they certainly would endeavour to impress on the House the importance and the duty of giving some relief to that most important and industrious class. One course would be for Parliament to retrace its steps, to restore protection in some degree—he did not say to any great amount—but the question of amount was not the subject to be debated on the present occasion. Parliament must either do that, or endeavour to reduce the taxes and burdens on land, so as to give relief in that way. If Parliament was prepared to follow up the course which had been pursued for some time past, and turned a deaf ear to the complaints and distresses of that large and influential body of the community, that body must endeavour to take measures into their own hands and relieve themselves according to the best of their judgment. He should not be surprised to see a demand made for the reduction of taxation, to an extent which the Chancellor of the Exchequer either of the present or any other Government would find most inconvenient to comply with. But it would be enforced in such a manner, and by such arguments, as any Chancellor of the Exchequer would find it difficult to resist. The much wiser and safer course would be for the Government to look at the question of agricultural distress and difficulty in time, and to endeavour by one of the courses which he had suggested, to afford some relief to that suffering class. He was aware that it was useless to press these views on the present Government, or the present Parliament. The Government had taken their stand on the principle of free trade. They had carried it to the utmost extent in their power; and he believed they were prepared, if possible, to extend it still further. He did not expect to be able to persuade the Government to abandon those principles upon which they had hitherto acted. But it should be remembered that Governments are not permanent bodies—other Governments might at some time or other occupy the places of hon. Gentlemen opposite. Other Parliaments might be elected, and constituencies might return Members entertaining very different views from the majority of the present House on this question. He had no personal wish to gratify by any change of the present Government. But he must say this—that if they were determined to persevere in their present course—if they continued to carry out free-trade principles, notwithstanding the difficulties which surrounded a large portion of the industrial community—which difficulties, he was afraid, were likely to continue—if they continued to adhere to those principles without any relaxation, he believed the time was not far distant when the opinion out of doors would be expressed in terms which could not be misunderstood, that for the sake of the agricultural as well as other interests, the sooner some change takes place in the constitution of the Government the better it will be for the nation at large.

MR. MUNTZ said, that if he consulted

his own opinion as to the use of continuing the debate, he should have retained his seat; but as several statements had been made which he could not understand, he rose principally to ask for explanations. No one attempted to deny the existence of agricultural distress; that it was very great was allowed from both sides of the House, and every one hoped it would not continue. But admitting, for the sake of argument, that the Government were disposed to retrace their steps, he would ask hon. Gentlemen opposite if they believed they could do so? He defied the Government to retrace their steps, and he defied any other Government to retrace their steps. That was a settled question, and if relief was granted, it must be on another principle, and from another quarter. He wished to ask some hon. Gentlemen to explain certain remarks which had been made, and which he was unable to comprehend. Hopes were expressed in various quarters that agricultural produce would advance in price; now, he wished to ask why it should advance. Even the hon. Member for the West Riding (Mr. Cobden), at the close of last Session, had stated in that House, that wheat would not average a lower price than 46*s*. per quarter; but he had lately been down to Leeds, and told the people there that the price of wheat was now 40*s*., and would continue so; and that farmers must learn to grow it at that price. From what data the hon. Gentleman reckoned, he (Mr. Muntz) was at a loss to know, and he would have asked him at the time, had he not been on the opposite side of the House talking to his Friend the Member for North Warwickshire; and why he had lately changed from 46*s*. to 40*s*. he (Mr. Muntz) could as little comprehend. He had every reason to believe that it would be still lower; but he had searched in vain for a reason why it should advance. In 1846, when he voted for the repeal of the corn law, he expected that the operation of that measure would reduce the price of corn. Some hon. Members would, no doubt, recollect that he (Mr. Muntz), in the debate on the repeal of the corn law, in 1846, and in answer to those who said then that prices would not fall, had distinctly stated that his reason for voting in favour of the repeal was, that he was certain that prices must fall, and very considerably, otherwise he would not have voted with them; but he wanted all to row in the same boat, when, he was sure, they would together discover means of relief. Many Gentlemen who advocated the repeal, contended it would not have that effect; but that was his only reason for the course which he then adopted. He was aware that it had not produced the results which were anticipated. The prosperity which now existed was one-sided. He admitted that an improvement had taken place in the condition of the working classes—but how? Had it arisen from the advance of wages, or an advance in the price of the articles which they produced? No such thing. The increased demand (and he admitted it to be considerable) had not produced one iota of advance in price. The reduction in prices which had taken place in the manufactures of the borough which he had the honour to represent, and which, during the last three years, had varied from five to fifty per cent, had not in any degree been restored by the increased demand. Then, how had the condition of the labouring classes been improved? By the reduction of the prices of the necessaries of life, which compensated for the reduction of wages. The workmen, generally speaking, were never much better off. With respect to the masters, he left them to answer for themselves; but he much doubted if they had participated in the improvement in his borough—he would say nothing as to the state of other towns. He asked the House, was this the sort of prosperity which England ought to enjoy—the single instance of a large number of people in one interest being in a state of comparative comfort? That was an important question. But was it the only one? Had not the West India interest been completely swamped? Had not the prosperity of Ireland been destroyed? And were they not going to destroy the agricultural interest of this country? He asserted that a still further reduction would take place, and had not the slightest doubt that the average price of corn would be from 30*s*. to 40*s*. per quarter. One important consideration had been lost sight of by the one-eyed repealers of the corn laws—namely, the difference between free trade and fettered trade. During the time of protection, when a foreigner could never know if he could send the corn which he grew in one year or in ten years, no price would pay him; but now that he could send it in at any time, he had only to calculate at what price he could grow it, and at what price he could sell it here; and, therefore, thousands of acres of corn would be cultivated for this market. The hon. Gentleman who moved the Address stated that a national saving would be effected of 91,000,000*l.* He believed what the hon. Gentleman called a national saving amounted to 100,000,000*l.*, instead of 91,000,000*l.* But he (Mr. Muntz) wished to know who paid this? How did the nation gain by it? He contended that the amount had been taken out of the pockets of one interest, and given to another interest. But how did the nation gain by it? Suppose he had a *5l.* note in each pocket, and transferred one of the notes from one pocket to the other, he certainly should not find himself any richer, although one of his pockets might be so. He was not now questioning whether this was right or wrong; but he must say, that so long as the landed interest had a one-sided protection, they did not care for any other interest. They did not consider him when his property was injured or lost, or his workmen when they were starving for labour and bread. He wished to ask hon. Gentlemen opposite one question, which he trusted they would answer fairly. Suppose they obtained protection again, and had corn and meat as dear as formerly, how did they suppose any man in the export trade could exist? The export trade of the country amounted to fifty millions per annum. Now, he ventured to say that a return to the old system would cause a large portion of that trade to vanish altogether. And what would be the result? That the parties now employed in that foreign trade must fall on the home trade and destroy it. He considered it quite useless for hon. Gentlemen opposite to agitate for protection. In the first place, they would never obtain it; and in the next place, if they did, it must be through a sea of blood, which they would be sorry for. It was said that the manufacturers had protection. That was no doubt true, but they had no right to it when other classes were deprived of it. He could see no justice, now that protection was taken from the farmers, in making them pay a duty upon the silk gowns of their wives and daughters. There were also many other articles of manufacture still protected by the tariff of the right hon. Baronet opposite (Sir R. Peel), whom he (Mr. Muntz) had asked at the time to remove all protection; and it would have been much better if he had done so. The hon. Member for the West Riding considered this to be a landlord's question. No doubt it would be a landlord's question in the end. But it was most decidedly a tenant's question in the beginning, and he did not see how the tenant could escape between the consumer and the landlord. No doubt the low prices would best suit the tenant when low prices were carried out, because less capital would suffice; but it was the transition from high to low prices which ruined him. The consumer would only give the lowest possible price for the article at which he could buy from other countries; and the landlord would get his rent so long as he could, and, therefore, the tenant must be the scapegoat. He was not at all surprised that the Chancellor of the Exchequer should have made a prosperity speech on the present occasion, seeing that he had done so when there was no prosperity. The right hon. Gentleman had shown the existence of prosperity by the amount of the exports. Now, he (Mr. Muntz) denied that any such prosperity could be so proved. He altogether objected to the right hon. Gentleman's deduction. In the first place, the exports constituted a small portion of our manufactures; and in the next place, a statement without quantity and price was no proof at all. The increase in the export of iron from 81,000 cwts. to 121,000 cwts. was given as an instance, when, if the Chancellor examined into the value of the two quantities, he (Mr. Muntz) believed that he would find but a small difference. An enormous quantity of imports was not properly stated in the returns. The quantity of zinc exported to India was stated to be increased 2,900 tons, but the quantity manufactured in all England did not exceed 900 tons, and, therefore, the difference must be accounted for by the imports having been exported. These returns were, therefore, not at all to be depended upon; and he would shortly move for a return of all imports and exports, specifying where each article was re-exported to. In the last Session he had moved for a similar return, but the Government had delayed it until after the Session had expired; this year, if it was not forthcoming, he should ask the House to assist him, for they little knew what was doing. The amount of bullion in the Bank had been adverted to, and it had been said, "did not everybody say, with the import of corn the export of gold must commence? but yet look at the bullion in the Bank." He (Mr. Muntz) never said the import of corn would cause the export of bullion. He said that no import of corn would do so, unless the manufactured produce of the country was relatively dearer than the price of bullion. In 1847 the export of bullion was very great, and such was the ruin caused amongst all classes that a great reduction took place in the price of manufactured goods. Those goods were then sent out, which brought in the bullion, and since that time prices had been lower than they were ever known before; and they were now relatively lower with regard to bullion and silver than had ever been known in the memory of man. But what would be the result, if corn, as they all seemed now to wish, should obtain a high price? The natural consequence must be an increase in the rate of wages, and an increase in the price of manufacturing produce; and an increase of five per cent on the manufactured produce would cause an export of bullion. They were, therefore, placed upon the horns of a dilemma: either they must be content with the present low and unprofitable prices, or they must lose the gold by raising prices. The exports of this country, he was quite confident, would not bear the advance. The hon. Gentleman concluded by declaring that, with his views upon the subject, and for the reasons he had given, he considered it his duty to support Ministers.

Mr. HERRIES said, that he did not rise for the purpose of replying to the observations of the hon. Gentleman who had just sat down, as he had answered so many of them himself; while many of the speakers on the other side followed each other in the assertion that the whole question on the subject of protection was absolutely settled and disposed of for ever. The hon. Member for Malton had, on the contrary, expressed a hope that it might, by this very debate, be settled. Now, the question neither was settled, as some maintained, nor so easily to be settled, as the Member for Malton supposed, and it would not be settled until justice had been done to the agricultural interest. Hon. Gentlemen talked as if protection were involved in the discussion of this night. The Motion, however, of the hon. Baronet the Member for South Lincolnshire would not bear that construction. Her Majesty had been advised in the Speech from the Throne to use language, which to those having the deepest interest in agriculture, appeared such as would not permit them to acquiesce in an Address being only an echo of that language, either with justice to themselves, or to the interests more immediately involved. If it had been the intention of the Government to cast a slur and an insult on the agricultural interest, they could not have used language more fitted for the purpose. And considering also the disposition which the Government must be supposed to indicate by its choice of the hon. Gentleman who moved the Address, it would be unbecoming in those connected with the landed interest, who occupied that (the Opposition) side of the House, to allow the occasion to pass without moving an Amendment, for which better terms could not have been selected than those embodied in the Amendment now before them; nor could it have been introduced with more temper, judgment, and ability, than it had been by his hon. Friend. And therefore he rose to give his most cordial assent to that Amendment; but as the debate was approaching, he hoped, to something like a termination, and as the feeling last night was very much in favour of closing it tonight, he would advise his hon. Friends on his side of the House to remember that the present was not an occasion when it was indispensably necessary for them to put forward all the arguments and facts which he knew they were so well able to adduce at the fitting season. At the same time he could not altogether pass over in silence certain matters which, but for the undue and unwarranted use that had been made of them by Her Majesty's Ministers, he should have thought unworthy of occupying the attention of the House. With respect to the repeal of the navigation laws, from which he still apprehended so many calamities to ensue, had the Royal Speech only intimated that other countries had readily and joyfully accepted the vast boon which this measure conferred upon them, he would not have felt called on to offer any remarks, because every one was certain that these countries would cheerfully accept that boon. But when a certain statistical document had been used by the hon. Mover of the Address to make a boast of what had also been trumpeted forth in various newspapers as benefits that had already been produced even before the Act came into operation; namely, the alleged very unusual activity among the shipbuilders and shipwrights at the port of Sunderland from the repeal of the navigation laws, he must say he considered the facts assumed, even if they had been correct, which he would presently dispute, formed too narrow and paltry a basis on which to rest so weighty and momentous a question. Now he happened to hold in his hand an account furnished him by a good authority, a gentleman intimately connected with the shipbuilding interest at Sunderland; and although it was perfectly true that ninety ships had been built in 1849 at that port (as had been stated in behalf of the Government), and that twenty-four of them had been sold, yet why did not those who wished to make a boast of this fact in favour of the repeal of the navigation laws not tell the House the whole truth on this isolated case of Sunderland, if they considered it—what it could not be safely admitted to be—a fair test of the state of the whole shipbuilding of the entire kingdom in the year 1849, as contrasted with its condition in 1848. The real facts were these. At the port of Sunderland in 1848, only 87 ships were built, which was three less than were built in 1849. But how was it with respect to the sale of the ships. Why, in 1848, thirty-six of the eighty-seven were sold, while in 1849 only twenty-four of the ninety were sold. But further, of those built in 1849, only thirty-six were finished, twenty-four of those finished being sold; but in 1848 only seventeen were actually finished, and yet thirty-six were sold, or contracted to be sold. So that in reality, when the whole truth came out, the facts told quite the other way, there having been a greater disposition to buy ships in 1848 than in 1849, and the trade of shipbuilding was less prosperous last year than in the year preceding it. In the letter of the gentleman who was his authority on this subject, there was this passage:—

> "I consider the shipbuilding trade here (Sunderland) not now remunerative, the recent sales having been effected at a reduction of 7½ per cent on the last year's prices."

There was another point which he must also notice. The Chancellor of the Exchequer said, the exports of 1849 greatly exceeded those of 1848, and inferred from the fact—which was perfectly true—that free trade had greatly improved the condition of the country. But why was the fact concealed that the year 1848 was not a fair year to take for the comparison? Why, 1848 was a miserably bad year—a year of great depression, and concerning which they were told, time after time, to recollect that there were circumstances on the Continent and at home all tending greatly to diminish the exports of that year. Well, then, where was the propriety of the Chancellor of the Exchequer saying, from a comparison with such a year, "See the effects of free trade in the augmentation of our exports?" No such conclusion could be drawn. But there was more fallacy still in this argument. They ought to have been told what was the nature of the exports of 1849. The staple of them was cotton manufactures; and where were they sent? Of this augmentation by far the greater proportion were the exports to China and the East Indies. Were these to be called indications of the advantages of free trade? What had we with China in the shape of free trade? Why, the only great article of import from thence was tea; and on that we put a duty of 100 per cent; and was that to be called an example of free trade? But why not take some fairer year antecedent to free trade than 1848, to compare the exports of 1849 with? In 1845 the total value of our produce and manufactures exported was sixty millions. In 1849 they were less. To be sure only eleven months of 1849 could be included, and the remaining month might make up the deficiency; but whether it would or would not, what he maintained was, that this was too small a basis on which to argue a great question; and he thought they were too much in the habit of attempting to rest great principles on too contracted bases. Another subject which had been introduced as a matter of triumph with reference to the condition of the landed interests, was the state of the poor in 1849, as contrasted with the state of the poor in 1848. To that argument the hon. Member for Kerry, so far as Ireland was concerned, had given an unanswerable reply. It was on a comparison of 1849 with one of the heaviest of years, as regarded the pressure of the poor-law, that Ministers rested their congratulations as to the country having passed from a bad state to a better, attributing that result to their own policy. These indications, confined as they were to a comparison with a bad year only, established nothing in this sense, and failed entirely to prove the success of our recent legislation. He would allude to another subject—he meant the boast that had been made of the quantity of gold in the coffers of the Bank. This had surprised him greatly. It was as if the history of the last two years could already have been obliterated from the minds of men. Only two years ago the same condition of the Bank was exhibited within a very short interval antecedent to the greatest commercial convulsion ever known to this kingdom. Just before that event the largest sum then ever known to be in the Bank of England remained in its coffers. Indeed, it was larger than the amount there at present, there being there now 15,700,000*l.*; while at the time alluded to it had exceeded 16,000,000*l.* And if it should happen that the amount of gold should diminish, we might again experience the crisis of 1847 by reason of the enactments of 1844. It was admitted on all hands that great distress now existed amongst the agricultural classes, and he wished to remind the House that Her Majesty's Government, before the new policy was yet established, used to express their conviction that the price of corn would remain very nearly where it was before the change, after the new measures had been enacted. Now, if free trade, falsifying their predictions, had produced the advantages of extreme cheapness, on which they now congratulated the country, this at least should be borne in mind, that this result had not been the work of either any wisdom or foresight of theirs. No man would deny that cheap food was an advantage to the consumer, but even that advantage might be purchased too dearly; and if obtained at the cost of the destruction of that which formed the foundation of all wealth—the cultivation of the soil—of what value, he asked, was an advantage thus bought? This was not the fitting time for going broadly into the general subject of protection to native industry. That question, he felt satisfied, would have to come before them, not as one confined within the limits of their vote that night, but as the great and paramount question of the day — the question whether it is wise, just, right, or politic, to persevere in this great change, by which the greatest, by far, of our internal interests—an interest not to be put in comparison for a moment with any other—was to be ruined and destroyed? The Mover of the Address had made a remark respecting 91,000,000*l.* a year being saved to the country by the repeal of the corn laws; and a sufficient answer had already been given to it by a preceding speaker, by a very pertinent question he had put to the free-traders. It was very doubtful whether this supposed gain was not, after all, a loss to the country of 91,000,000*l.*; and it would probably be too soon found out that the Government had been led by blind guides into making a fearfully fatal experiment. What he (Mr. Herries), and the party with whom he acted, required, was justice, and only justice. They asked for no more; and he knew not how strong or courageous the Ministry might be; but when such a large and important portion of the community—the foundation of all wealth — demanded justice, they might rest assured that justice would ultimately be granted them. He would not deal in the language which had been employed by those at whose instigation these measures had unfortunately been passed. He would not deal in those minacious and dictatorial terms, being conscious that such conduct would never be imitated by those who had reason and argument on their side; but he was convinced that the great interest of this country would ultimately receive at the hands of the Government — not by means of violence, but from their own returning sense of justice, and their own better prudence, with time and argument and fact pressing on them—a concession of their just and undeniable rights. The Government were so circumstanced now that they could not do it — their allies forbade it; but if they would only venture to do that which would restore this country to its former state of peace and prosperity, they might reckon upon a support far superior to that which they might lose by adopting a contrary course. There was one other point only on which he would touch, and that but for a moment. The hon. Member who spoke last said, that if they were to attempt only to return to a system of protection, the exports of British manufactures would be ruined altogether. Was it not remarkable that only five years ago the export trade was more flourishing than at the present time; and yet, in 1845, that corn law was in existence which the hon. Member stated to be inconsistent with an abundant export trade? He should not further trespass upon the time of the House than to repeat that he should give his most cordial support to the Amendment, which afforded an indication of the feeling of his side of the House, and an assertion of their just claims.

MR. LABOUCHERE: Sir, I am well aware there is a general desire on the part of the House that this debate should terminate this night, and I can assure the House it is my intention to delay but for a very few moments the progress of the discussion, being also aware that the House will expect other Gentlemen of higher position to address them in the course of the debate. At the same time one or two observations have been made by the right hon. Gentleman who has just sat down, which I am unwilling to pass altogether over. The right hon. Gentleman has stated it as his opinion that, so far as the effects of the alteration in the navigation laws have been as yet ascertained, we have no right to say that the apprehensions which were so confidently entertained by hon. Gentlemen on the opposite side of the House as to the effects that alteration would produce in paralysing the industry of shipowners and of the mercantile marine, have been unfounded. I admit that it would be premature for myself or anybody else who supported that alteration in the navigation laws to boast of its success; but on the other hand, when I am thus confidently challenged by the right hon. Gentleman, I appeal to the hon. Gentlemen in this House who have taken the subject into consideration—and, above all, I appeal to the representatives of our shipbuilding and shipowning ports—to say whether it is true that the alteration made in the law has had the effect of paralysing industry in the dockyards of this country? I appeal to them whether such an effect has been produced by the measure which the House passed last Session? This is a subject into which I feel bound to look with the deepest care (as I do into every subject in which I feel an interest), and I never made an assertion in this House with greater confidence than that which I am now about to make with respect to it. I challenge contradiction on the part of any mercantile man who thinks he is able to contradict me, when I make the assertion that the industry of shipbuilding and the confidence of the mercantile public in shipowning, are in a state most satisfactory and most encouraging to those who did not believe we were paralysing that most important branch of industry by the measures we passed in the last Session of Parliament. The fact is, that as many ships have been building within the last year as in any year during the last ten years, and some important alterations have taken place in their construction. There are ships of a better class and quality, and of a large description, now being built, and the result has been as we predicted. The shipowners and shipbuilders, with the energy of Englishmen (although they were opposed to the passing of the Bill), have betaken themselves to see whether they might not by improvements prepare themselves for the competition they saw was inevitable. I am unwilling at this hour to weary the House with statistics and returns which I have in my possession, and which, if necessary, I shall read, to prove the correctness of the statement I now make; but there is one statement so remarkable, when we consider the quarter from which it proceeds, that I cannot avoid calling the attention of the House to it. Those Gentlemen who have attended to this subject during the last Session, may have read in the *Standard* newspaper a letter written by a shipbuilder named Lindsay, a gentleman, I believe, of high respectability in his profession, but a great opponent to a change in the navigation laws. He wrote several letters in which he stated that nothing but ruin could arise to the shipbuilding interest from a change in the law. This Mr. Lindsay has published a circular, with respect to the prospects of the shipowning interest in this country, and there is one paragraph in it which is worthy of the attention of any hon. Gentlemen who are anxious for information on the subject. This passage is so remarkable that I cannot help reading it. Mr. Lindsay says—

> "As the law now stands, we would say to those of our shipowning friends, and whose trade is to be shipowners, who held like opinions with our own as to the impolicy of the repeal, it is folly now to repine, and greater folly to stand with folded arms and allow others to monopolise our carrying trade without even an attempt at competition. They must suit themselves to the altered state of our maritime laws; have vessels with the greatest capacity to the least register tonnage consistent with safety and sailing properties; have them commanded by men who are not merely seamen and navigators, but something more—men of business, and, above all, by men of sobriety, steadiness, and exemplary moral character, and who by example and precept will instil good moral principles into those under them, both at sea, and, if possible, on shore. These points are of the most vital importance in our competition with foreign Powers, and, if attended to, will, combined with the acknowledged energy of the English character, overcome many difficulties."

This is exactly what I ventured to state would be the case. I said I believed that the evils which were really ruining our mercantile marine were the want of discipline, the want of proper qualifications in our commanders; and that they would disappear in a great degree when our ships were exposed to competition, because our shipowners would then earnestly betake themselves to place their ships in a position to compete with the mercantile marine of other countries. There is also another paper which I would be glad to read if I had addressed the House at an earlier period of the evening. It is a communication received from a person of the highest authority in Norway, referring to the apprehensions entertained as to the result of a competition between Norwegian ships and our own. It is stated that many orders had been sent from this country and from Germany to take up Norwegian ships for the long voyage; but not one of those orders was taken, because it was found by Norwegian shipbuilders that when employed in the long voyage they could not afford to give their ships at so cheap a rate as the English. And it is further stated by the writer, that he is confident that, in future, every Norwegian ship intended for the long voyage will be under the necessity of coming to the ports of this country to be coppered and bolted, so much have we advanced in this country in that most important branch of shipbuilding. There has been another point raised in the course of the discussion, and which also had been adverted to at meetings in the country, by gentlemen connected with the agricultural interest, namely, the supposed favour which they say has been shown to the manufacturing interest in this country over the agricultural, in the vestiges of protection that remain on the Statute-book. There cannot be a greater error than to make such a statement. It is true that some vestiges of protection still remain applicable in some cases to manufactured articles, and in some other cases to agricultural articles in this country; but if any Gentleman will look and see the articles that protection applies to, I venture to say (without entering into the question whether it would be advisable to sweep those vestiges of protection away, a subject which we ought not to discuss at the present moment), that so far as the question is concerned of showing favour to the one or the other, there is no ground for saying it; and any Gentleman who looks to the facts will come to the same conclusion. What are the manufactured articles that still in some degree are protected? The great article that still remains protected is silk. There still remains a protection of 15 per cent on the import of foreign silk, producing a revenue of 274,000*l.* There also remains a protection upon gloves, artificial flowers, embroidery, boots and shoes, and some other trifling articles. It will be observed that the great staple manufactures of this country, the woollen, cotton, and other great staple manufactures, are all unprotected, and are upon the same footing as the principal articles of agricultural produce. With the single exception of silk, the protection still retained almost altogether applies not to the staple articles of manufacture, but to the industry of the artisan by making the manufactured goods in a secondary state, and, above all, to the industry of a class of persons for whom the public sympathy has been recently most powerfully and not unnaturally invoked—I allude to the female labourers. A protection of 25 per cent still remains in favour of the women employed in making artificial flowers, and there is a revenue of 12,500*l.* derived from the import of the foreign articles. There is also a protection of 15 per cent, which operates in favour of a most distressed and suffering class of the community—the needleworkers. Now, has the produce of agriculture been altogether denuded of protection, and is it true that the producer has been unfairly and unequally dealt with as compared with the producer of manufactures? I shall read for the House the articles of agriculture that still enjoy protection. Butter, in the first place, enjoys a protection of 10 per cent, and the duty on the import of foreign butter produces a revenue of 140,186*l.* Cheese enjoys a protection of 5*s.* per cwt., and 106,089*l.* revenue is derived from the importation of it. Tallow also enjoys protection at a duty of 1*s.* 6*d.* per cwt., producing a revenue of 95,408*l.* Clover, and other agricultural seeds, are protected, there being a duty on the importation of the foreign article amounting to 38,000*l.* Eggs are not manufactured articles, yet they are protected by a duty of 10*d.* per 120; and on the importation of foreign eggs there is a revenue derived of no less than 32,097*l.*; and there are other articles of agricultural produce which are also protected. I have made out, as well as I could a list of the manufactured and agricultural articles now protected; and I find that the amount levied on the importation of foreign manufactured articles for the protection of corresponding articles of English produce is 430,000*l.*, and the amount levied on the importation of articles of foreign agricultural produce for the protection of corresponding articles of English produce, is in round numbers nearly 427,000*l.* I thought it right to go into this statement when gentlemen through the country endeavour to persuade those they address that the Legislature continues to protect manufactures, while they abandon protection altogether as applied to agriculture. Some Gentlemen make a great grievance of not being allowed to grow tobacco in this country; but are not those Gentlemen aware that if foreign tobacco were let in duty free into this country, any attempt to grow the plant of tobacco on the soil of the united kingdom would be utterly futile? The English tobacco unprotected from Virginian tobacco would go to the wall; it never could succeed as an article of cultivation in this country. I do not wish to detain the House longer; but I beg to deny, in the most emphatic manner, that it is the intention of Her Majesty's Government to treat with the slightest disrespect the landed interest of this country, or to deny that in many parts of England there does exist very severe distress amongst the owners and occupiers of land. If that had been the intention the assertion would ill come from me, for my constituents are placed in the centre of a great agricultural county; and I know from my own knowledge, and from my connexion with that town, that there does exist great distress amongst the occupiers of land. I deplore that distress most sincerely—as sincerely as any Gentleman opposite; but it is my deep and conscientious conviction that you can do nothing more injurious to that interest than to hold out the expectation that this House, or any future House of Commons, will return to a system of protection. It will only divert their attention from the means in their power of improving their condition, and will be only an *ignis fatuus* to mislead them to despair. I do not oppose the Amendment because I do not admit that distress exists, but I oppose it because I think the means it points out would only lead to a delusion. To my mind it is inconceivable that a system which in this country promotes our commerce and agriculture, our manufactures, and the general interests of the community at large, must not in the long run promote that interest which I acknowledge as the basis of all prosperity—the proper cultivation of the soil. To say the fields of this country will become a desert, and be uncultivated, is, I think, the wildest phantasy; for I look forward with the utmost confidence to the future progress of the agricultural interest of this country. I admit that in parts of the country there has been great destitution, and that great individual distress may happen—I admit, too, that if it were in the power of the Legislature, we should do what we could to mitigate those evils; but as to the ultimate result of those measures, and as to the ultimate prosperity of the agricultural as well as other classes of the country, I, for one, entertain no doubt, provided this House perseveres in the course of policy they have deliberately adopted—provided we don't introduce doubt and hesitation into the minds of all classes, and paralyse industry by giving the country reason to believe that we are wavering. Let us have courage to go on in the course we have adopted, and I, for one, see no reason to doubt that it will lead to the security and prosperity of all.

Mr. DISRAELI: I rise, Sir, to support the Amendment of the hon. Member for Lincolnshire. I am sure the noble Lord at the head of the Government will not think it disrespectful on my part if I do not comment upon any other portion of the Address which has been offered for the consideration of the House. That Address refers to many subjects of great interest and importance, on several of which I would have ventured, under other circumstances, to request some information from Her Majesty's Ministers; but, considering the hour of the night [*it was then nearly 11 o'clock*]—considering the general tone of the debate, and the anxiety which is felt on both sides of the House to divide tonight, the noble Lord will pardon me if I confine my attention to the particular paragraph to which my hon. Friend has moved an Amendment. I believe there is no question in the House at present—whatever there may have been at the commencement of the discussion yesterday—that what is called agricultural distress does prevail. After some sceptical expressions, we have had several witnesses from both sides of the House of considerable influence and importance, who now admit the fact—the last witness being the right hon. the President of the Board of Trade. I think, then, that I may state, without exaggeration, that agricultural distress does at present prevail in England; that in Scotland there exists at least agricultural dismay; and I suppose I must leave for Ireland agricultural desolation. Undoubtedly, whatever may be supposed to be its cause—whatever difference of opinion may have existed as to the degree of distress—it has existed for a considerable period, has evinced itself in a variety of quarters, and has been expressed by persons whose opinion, from their position and conduct, is certainly entitled to public respect. But I am entirely precluded from the necessity of entering on evidence upon that important and interesting point, because the evidence is before us. I want no better evidence for the existence or for the cause of the distress than that of the hon. Gentleman who moved the Address to Her Majesty. He has, with perfect frankness, informed us that he has no doubt that a sum almost equal to one-eighth of the national debt has been taken from the agricultural class within a brief period by the influence of legislative enactments. I am not speaking of the wisdom or folly of these enactments, or of the necessity or inexpediency of them. I am merely calling a witness forward who upon such a topic may surely be considered to be one of a first-rate character, and who tells us that one of the principal branches of our national industry has within a brief period been deprived of a receipt of about 90,000,000*l.* or 100,000,000*l.* sterling, which, according to his account, it has been in the habit of receiving; and that the want of this receipt has been occasioned by a recent and certainly an unexpected change of the law. Upon that evidence, therefore, it will be acknowledged as not surprising that there should be so severe and so general distress as that which at present prevails in England—that it should be acknowledged in Scotland—and that it should be overwhelming in Ireland. Let me under these circumstances—the House bearing in mind how wide and prevalent is the distress—how, according to the hon. Gentleman who moves the Address to the Throne, and who calls upon us to support him—remembering, I say, how great is the cause of that distress, and how accountable it is by the previous conduct of this House—allow me once more to recall to the House the language in which that distress is intimated in the Speech from the Throne. Unhappily there it is not even described as distress; the expressions of feeling on the part of the great class which has been submitted to the action of circumstances so vast as those acknowledged by the hon. Gentleman the Member for Wolverhampton are merely noticed as "complaints," the justice of which is studiously not acknowledged. It has been said by way of defence, that these words appear in a subsequent sentence:—

> "Her Majesty greatly laments that any portion of Her subjects should be suffering distress;"—

but I deny that that is an admission, or even a qualified admission, that the agricultural interest of the united kingdom of Great Britain and Ireland is suffering distress. It is a mere abstract observation, and bears no reference to the actual condition of any portion of the united kingdom. It merely says, as an abstract principle, that the Sovereign of these realms will sympathise with any class of Her subjects who are in a state of distress; but thus placing it as an abstract proposition is virtually denying that it practically exists; and the sentence which follows it is only one of philanthropic mockery. Well, now, is it surprising, is it unreasonable in the present state of affairs, after all that is past, and after all that is passing—seeing that Parliament has met again without virtually acknowledging the existence of the distress, which is not only recognised by the Mover of the Address, but even accounted for by him—is it surprising or unreasonable, I ask, that fresh from our constituents, who are the victims of the change of legislation, we should feel it our first duty to come forward and express our opinion of the cause of the distress, and our sympathy with those who are suffering? Let me beg the House carefully to consider the character of the Amendment which is offered to you. I say carefully to consider, because I beg to remind the House that it is upon that Amendment, and that Amendment alone, that the vote is about to be taken, and not upon an imaginary statement which it may be convenient for the Government to put forward, and especially by any Members of the Government who may have prepared a speech not at all adapted to the Amendment. That Amendment upon which you are now called upon to decide consists of two parts. Let me call your particular attention to the first. You are asked—

> "Humbly to represent to Her Majesty, that in many parts of the United Kingdom, and especially in Ireland, the various classes of Her Majesty's subjects connected with the cultivation of the soil, are labouring under severe distress, mainly attributable, in our opinion, to recent legislative enactments."

Who denies that proposition? Not the Mover of the Address to Her Majesty. He adopts the fact, and accounts for it, and the Amendment is merely prophetic of the speech which he made last night. If it be unreasonable, at least nobody will maintain that it is untrue. But it is said that you are called upon by this Amendment to declare that the protective system must be reconstructed in this country. It may or may not be politic—it may or may not be expedient—to call upon the House to take that step, but you may rely upon it that, if we think it our duty to do so—if we think it for the advantage of the country that that step should be taken, we will not hesitate to come forward frankly, completely, and candidly to express that opinion. I do not think that the Amendment upon the Address is the right occasion upon which to contest so great a principle, or to enter upon such an encounter; but, remembering what the state of the country is, believing it to be universally or most generally recognised, right or wrong, that the distress of a great portion of Her Majesty's subjects has been occasioned by recent legislative enactments, I say that nothing can be more legitimate, nothing on our part, and on the part of all who sympathise with the distresses of the land, can be more clearly and completely an act of duty, than to come forward when such an Address to the Throne is proposed, and express with temperance, but with firmness and precision, our belief in the existence of great calamities, and our conviction that those calamities have been occasioned by your recent legislative enactments. But is there anything unreasonable in this? What can be more natural than for the House of Parliament, which represents the commons of England, whatever the truth or falsehood, whatever the justice or injustice of certain economical principles, when it is flagrant and notorious that large bodies of the people are in a state of great depression and embarrassment—what more natural, I ask, than to come forward and state that fact dutifully and respectfully to the Sovereign, more especially when the facts we state are not unwarranted, wild, or extravagant, but are distinctly intimated and admitted by the very organ of the Government who proposes the Address? So far, indeed, from this being a violent course on our part, I believe it the most natural and the most probable; so probable that it was the general anticipation of the country that the Government would themselves have expressed some sympathy with the depression and distress of so large a portion of Her Majesty's subjects. The Government might have done this, without giving up any of the economical convictions to which they are such recent converts. It was, indeed, for some considerable time believed—in the autumn there were very prevalent opinions—that the Government were really not ashamed of feeling some sympathy with the heavy distress of so large a portion of the community. There were certain rumours abroad then, to which I myself, I confess, gave small credit, but which imparted some hopes to those who were suffering so grievously. The right hon. Gentleman over the way shakes his head, and no doubt, in the possession as he is of Cabinet secrets, there is very good reason for so signifying his scepticism. There was even a rumour, at the time I speak of, that a person of considerable importance—one who figured in the highest class of the peerage—had committed that great sin in political economy—expression of sympathy with the sufferings of the country. I myself care nothing about the matter. I care nothing about a Duke's giving his adherence to the principles I advocate. I care not a jot if all the Dukes in the land reject them. It is the cause of labour for which we struggle—it is the cause of labour, or it is nothing. If it be not the interest of British labour that we advocate, all the patronage of all the Peers of the realm will not avail. Nothing but that conviction can sustain us. There was, after all, some apparent foundation for the popular belief; there were observed a great many Cabinet Councils, very frequent and very hurried; and the country, which had seen on former occasions similar frequent and hurried Cabinet Councils, and observed their results, naturally enough alternated between anxious hopes and fears. There is a story told of a gentleman, once a Member of this House, and who afterwards became Lord Protector of the Commonwealth of England; he, too, was holding one of his Cabinet Councils, when somebody came to disturb him. "Go tell him," said Cromwell, "that we are seeking the Lord;" and turning to his colleagues, he added, "That simpleton thinks we are seeking the Lord, when in truth we are only seeking the corkscrew." So, it would seem, when the people of England last autumn thought that Ministers were seeking the Lord in their repeated Cabinet Councils, they were in truth only seeking the corkscrew, for all that the Cabinet Councils brought about, so far as it appeared, was a Cabinet dinner. And now, instead of putting a bold front on the question, the only way in which the Ministers can get out of the scrape, according to their idea of Parliamentary tactics, is to ask the hon. Member for Wolverhampton to come forward to their aid; and here we have the Address to the Throne moved by a late member of the Anti-Corn-Law League, and seconded by a member of the new Parliamentary Reform League. I will do this justice to the candour of the hon. Seconder, that he introduced into his discourse the topic to which he is of course devoted, though it does not appear in the Queen's Speech, expressing his hope that the Government would see the propriety of supporting those opinions to which he has so recently given in his adhesion at Freemasons' Hall. No Member of the Government, however, has as yet responded to his ingenuous appeal. Probably the result must be the same in this case as in another memorable instance, and if the mountain will not come to the Minister, the Minister must go to the mountain. The Chancellor of the Exchequer, in noticing the complaints which are made by the agricultural interest of the distress they are at this moment experiencing—complaints, I must say, in unison with the language of the Royal Speech and of the Address—thought it his duty to denounce the manner in which the agricultural bodies have thought fit to bring those complaints under the consideration of the House, of the Government, and of the country. It struck me as surprising that the right hon. Baronet, one of the heads of a liberal Government, especially at a moment when he tells us that all the other interests in the State are prospering, should think it becoming to come forward and say that another great branch of industry, which he acknowledges to be suffering, has acted in a manner unauthorised if not unconstitutional, because it has, in a tone perfectly consistent, as I say, with the spirit and with the machinery of the constitution, appealed openly and freely to the Throne and to Parliament for sympathy and for relief. The right hon. Gentleman says that very violent language has been used by the agriculturists at their meetings. I think this criticism might, with much judgment, have been omitted. It is rather unusual to carp at expressions which may be used, for example, at county meetings; but if the right hon. Gentleman is so critical, I should conceive he might better have formed his ideas of violent language, used at public meetings of the people, from some of the towns in the county in which he has been taking his summer recreation. I should have imagined that it was some tone, probably from Leeds, which had reached him—some Jacobin jargon that had floated to his ear from the free-trade hall of the city of Manchester. When the right hon. Gentleman—a Gentleman of Yorkshire—complains of the tone and strong language used at agricultural meetings, I would remind him that there have been other meetings at which language much stronger has been used—language, I will venture to say, much more unconstitutional. I am sure that he never heard any one at a county meeting say that the English constitution existed only on sufferance. I am sure that he never heard any one at a county meeting say that the States of the realm were in future only to be considered as a body to legislate in deference to the passions, the caprice, the interests of any particular section of this country. I will not, on this occasion, go into the question which the right hon. Gentleman has raised in relation to the value of our exports. I am bound to say that, so far as time, and study, and observation assist me, I see no reason to relinquish the opinions I have repeatedly expressed on the subject. I believe—I think it can be proved—that the exchangeable value of the products of British industry has materially diminished within the past few years. The right hon. Gentleman quoted the *Commercial Glance* to prove that certain articles of manufacture were not diminished in value. But they were articles, if I caught them right, exported principally to India, our own possessions, and therefore not subject to the action of hostile tariffs. The right hon. Gentleman last year said he could not understand my argument that the manufacturers of England were content to manufacture at a loss. I will beg to remind him of another economical paper called the *Economist*, in which there has been a series of articles most elaborate in composition, and most ample in calculations, the whole object of which is to prove that for the last four years the manufacturers of Manchester have been manufacturing at a loss. Well, I recommend the right hon. Gentleman—I know not whether he has a personal acquaintance with the editor of the *Economist* or not—to take advantage of his first ten minutes' leisure, and enlighten himself upon that topic, and ascertain whether it be a fact that a Manchester manufacturer can manufacture at a loss, and even continue to manufacture at a loss. The right hon. Gentleman, as he thinks, has established his case to prove the success of his system, the success or failure of which I do not at all consider to be the question to-night, or in any way connected with the Amendment; and the only reason for my referring to it is, because I would not seem to shrink from meeting his statements. He has adduced, as his test, the state of pauperism in the country. I accept that test, as far as it is valid, to try the efficiency and truth of his system; but I must say, that the data he has offered us have not, in my opinion, been fruitful of any very encouraging conclusion. He has established that there is a reduction of pauperism to the amount of something under 7 per cent, compared with last year—a year of unparalleled gloom, of unprecedented depression, which the right hon. Gentleman always told us during the last Session must never be taken as a precedent, because it was a year when the manufacturers of England, in every branch, were in a state of distress which probably had never been approached for many years. But the right hon. Gentleman now comes forward with this case, that the manufacturers of England are in a state of almost unparalleled prosperity, and he says that pauperism is reduced, compared with the last year of gloom, to the amount of nearly 7 per cent. If, then, the manufacturers of this country have been, and are, in such a flourishing position—if the manufacturing population are not only altogether employed, but there is even a demand for labour in the manufacturing districts—how are we to account for the fact that the rally has not been much more considerable? And how, when we are called upon to congratulate the Sovereign upon the general prosperity of the country, are we to couple that congratulation with the stern and dark fact, that, even now, your pauperism is very insensibly reduced? But the case is much less encouraging, when we remember the state of the rural districts. We always told the right hon. Gentleman and his friends that there was this great difference between the manufacturing and agricultural districts—that it was in the power of the manufacturers, at periods of depression, to free themselves in a great degree from those whom they employed; whereas, from circumstances which I need not now minutely detail, it was clearly impossible for those who lived in the agricultural districts, except at a long interval, by slow degrees, and with extreme difficulty, to reduce the labour they employed. And I have no hesitation in saying that the employment of the rural population during the last twelve months has been, to a very great degree—to the amount, I believe, of not less than 20 per cent—a factitious employment—an employment honourable to those feelings which we have always cherished in this country, but which are totally opposed to those economical principles advocated by hon. Gentlemen opposite. No one imagines that the pressure of pauperism in the agricultural districts would be felt with the fatal and instantaneous consequences which are experienced in the great hives of manufacturing industry; but what we feel is, that though the result may be more slow, it will, under the most favourable circumstances, be more permanent. There is, however, another reason why, in the agricultural districts, pauperism will not immediately increase. You quite forget that you have in this country a social system which throws by law the employment of those who are not engaged in labour upon a machinery which is mainly sustained by the capital of the owners and occupiers of land. And this brings me to the second part of the Amendment we have suggested, in which we ask the House, in the first place, to acknowledge a distress, the existence of which the Government themselves acknowledged, and to allege that the cause of that distress is that which the organ of the Government has accepted; and, in the second place, to acknowledge that the operation of those legislative enactments to which I have referred, is aggravated by the burden of local taxation. Now, is there anybody in this House who will rise and say that agricultural distress is not aggravated by peculiar burdens? It has been said, indeed, that in the instance of the occupiers of land, the distress may not be aggravated by these burdens; but nobody will say that such burdens do not exist, and, if existing, that they do not press upon some one of the agricultural classes. Now I think, after the speech of the hon. Member for Wolverhampton, who was so ostentatiously brought forward to propose the Address, that we should have some clear conception of the nature of these burdens. That hon. Gentleman has derided the idea that a reduction of those burdens could afford any relief to the occupiers of land. I want hon. Gentlemen opposite to meet this question with some degree of fairness and candour. Night after night last year hon. Gentlemen rose on the other side, and told us there was no difference between land and any other property; that land was nothing more than a raw material. Those opinions were cheered by the Gentlemen opposite, they have virtually been accepted by the Government, and are, in fact, a necessary part of their economical creed. Now what I ask these Gentlemen is—if land be only a raw material, why do you tax it? Why do you not extend to this raw material the same economical principles which you extend to all other raw materials? If land be, as you say, only a raw material, why is the manufacturer of corn to be subjected to other economical principles, and another economical system, than the manufacturer of cotton? That is the question you must meet and answer. It is useless for you to tell us that if you take off the burdens on land the owner will be benefited, but the occupier will not. The question is far beyond that. Why do you tax this raw material—this material which was described the other day, by a leader of your school, at a great meeting, as the first, the principal, raw material of a nation's industry? Some Gentlemen are apt to think that this is merely a question of poor-rates, of county rates, of church rates. I tell them it is a much more complicated and extensive question than they imagine. From the moment an Englishman is born, to the moment of his burial, the raw material is taxed under your present social system, in order to guard either his life or his death. If a pauper child is born, you send for the parish doctor, and tax the raw material to pay the doctor's fee. If the child be not that of a pauper—one of your own offspring—its birth must be registered, and you tax the raw material to pay the registrar. If the child become a pauper, you build an immense edifice to receive him, and you tax the raw material to pay for its erection. If he is a lunatic, you raise a vast structure, and tax the raw material to pay for that. If he is a criminal, another pile arises, and you tax the raw material to pay the architect's bill. If the child is vaccinated, you tax the raw material to pay the vaccination fee. The child of a millionaire, who has 40,000*l.* a year in the funds, is as liable to this virulent disease as the child of the agriculturist—and why, then, should he not be subject to the impost? You cannot in this country exercise some of the most important duties of which an Englishman is proud, without taxing this raw material. If you are a juryman, the raw material is taxed to prepare the jury list. Even if you wish to exercise the suffrage, the raw material is taxed to prepare the list of voters. Now, I ask the great economists, the professors of the Manchester school, and their pupils—either the present or the late Government—how can they maintain such a state of things according to the principles upon which they have built their commercial system? We ask you, then, now that the agricultural interest is in a state of great, and, as I believe, unprecedented depression, to come forward and respectfully and humbly to express to the Crown your sympathy with that distress, and your belief that the cause of such distress is that which has been alleged by the organ of the Government on this occasion. Is that unreasonable? Is it factious? We ask you, in the second place, to acknowledge that that distress is aggravated by the burdens that are peculiarly pressing upon the agricultural industry of Great Britain and Ireland. Now that I have put this question fairly before you, I want to know what man can allege a rational reason why he should oppose these two propositions? I have no wish to conceal what are my ulterior views upon the great subject of the rival industries of this country. I think that the cultivator of the soil has a right to two things. I think, in the first place, that he has a right to be put upon the same footing as his fellow-subjects; and that, secondly, he has a right in his own market to be put upon a footing with the foreigner. If these are not just principles—if they are not founded upon those eternal sentiments of right which, in the long run, must govern nations, or nations must fall, then I admit that I am greatly mistaken. I am told that we are advocating the interests of a few. If I were to collect the sentiments of the Government, not so much from the declarations that have been rather forced from them during this debate, as from the language of the Speech from the Throne, I should suppose that this was an insignificant interest, that was so urgent in its distress as to ask for your sympathy, and so unreasonable in its suffering as to suggest the possibility of a remedy. We are told that they are only "the owners and occupiers of land." My noble Friend the Member for Stamford has ably touched upon that point; he has shown you that it is not a question merely of the owners and occupiers of land, whose fortunes to-night you are, in some measure, to decide upon. But

I shall take a much more narrow view of the question before I ask for your vote. Admit that it is only the owners and occupiers of land who now, thinking themselves aggrieved, and certainly by your own acknowledgment suffering, are coming forward and asking you to interfere in their favour, are they so innumerous a class—are they in number and in condition so insignificant, that it becomes statesmen and Parliaments to pass them by disregarded and unheeded? Why, there are, according to the best accounts, 250,000 proprietors of the soil in the united kingdom of Great Britain and Ireland. It is the most numerous class—the most numerous separate class in this country, as regards property; if they are exceeded slightly by the proprietors in the funds, you must remember that many of the proprietors in the funds are foreigners. Are the occupiers of land so contemptible in number, in character, and in conduct? You have, according to the most moderate accounts, 700,000 farmers in the united kingdom of Great Britain and Ireland. Why, take your owners, take your occupiers, with their immediate families, and this alone is an affair of millions. You acknowledge those millions are in a state of great distress—you acknowledge they are in a state of great distress, in consequence of your recent legislative enactments; and you counsel your Sovereign to treat their feelings with derision and mockery. Why, one would have supposed from the tone of this debate, that we had come forward to-night on the first assembly of this Session of Parliament, to ask you to repeal the laws that you have recently passed, to violate all the principles of political economy that you have enshrined; that you should come forward and declare that you have flagrantly erred, and that your only chance for national regeneration was to fall back upon the position which you have quitted. Is it so? There is not a Gentleman on this side who shrinks on the legitimate occasion from advocating, to the best of his ability, the principles upon which we think the industrial policy of this country ought to be established; but I deny that this is the occasion on which we are called to that controversy and that battle. All that we have asked of you is this—that it being apparent, it being a matter of national notoriety, that a great body of the nation is in a state of suffering—that it being a matter of Parliamentary acknowledgment even on the side of the Government, that that suffering has been occasioned by our recent changes in the law, you should come forward, that you should think it decent to come forward, and express to the Sovereign your recognition of the cause of the suffering, and your sympathy with the distress. Instead of that being, as you have pretended it to be, in a manner not flattering to the candour of Parliamentary discussion, an outrageous attempt, on the first night of Parliament meeting, to call upon this House of Commons suddenly to abrogate the resolutions which the Parliament of England had arrived at, it rather (if it does anything) indicates a course wherein, guided by justice, by that high principle of public duty which must, in the long run, influence every Minister in this country, you may not only express sympathy with your suffering fellow-countrymen, but even find the sources for the remedy of their grievances. Do not suppose that it is possible for you to escape the settlement of this question. You may pride yourself upon your accidental majority; you may pride yourself upon the array of three parties, full of rival ambitions, and unanimous only in their hostility to a suffering community; but we have the happiness of living in an age when an appeal to truth is never unsuccessful, and when the eternal principles of justice must be the foundation of Parliamentary statutes. I call upon you, then, to-night, in the name of the Gentlemen who are sitting upon these benches—the representatives mainly of those suffering classes—I call upon you to accept either alternative: you shall not go out of this House and misrepresent our purposes. Either reconstruct your commercial system upon those principles favourable to British industry which we advocate; or carry the principles upon which you have established your new system to their legitimate consequences. Do not, under this system, oppress the land of England, with the pharisaical pretence that you are the advocates of a great politico-economical scheme that will not tolerate the taxation of a raw material, and suppose, at the same time, we will endure that the whole social existence of England should be founded on a system which, morning, noon, and night, in every duty of the life of an Englishman, taxes the most important raw material of a nation's industry. We ask you to-night, to recur to no abrogated laws; they were planned by one whose subsequent conduct certainly does not entitle those laws to our posthumous respect. But we do call upon you to-night to do justice to the land of England—to the owners, to the occupiers, to the cultivators, to all the classes dependent upon the land, to those mightier considerations even than the industry of man. You can no longer postpone the settlement of this question. Enshrine yourselves in your politico-economical scheme — we accept your principles, we call upon you to carry them to their legitimate consequences. Let this raw material of a nation's industry be as free as other raw materials. Admit in its fulness, with respect to the land, the principle which you are extending to all other raw materials, and do not permit, in the cultivation of the land, artificial restrictions to prevail when you have debarred it from the artificial privileges which have hitherto been some compensation for your legislation; or come forward and say frankly to the people of England, "We cannot afford to do that justice to the land which we are prepared to do to every other field of industry." Tell us fairly, at that box to-night [*the red box on the table before the Treasury bench*], whether the cotton of the American may come here free, and the earth of England is to be enthralled. Come forward to-night, and tell us "there is no branch of manufacture which we will not facilitate, which we will not stimulate, which we will not allow British industry to send forward to every clime, in exchange for the productions of foreign artisans; but we are resolved that this country shall only be the country of manufacturers and mechanics; and, therefore, while we have, according to our principles, emancipated every branch of industry, the land, and the land alone, shall be our slave and our victim." I call upon the noble Lord at the head of the Government to speak frankly on this subject. Don't let the noble Lord suppose that this is a party movement; nothing is more convenient for a Government than to pretend that the great principles of free trade are endangered, and that those who are embarrassing them with a Motion, have merely personal considerations at stake. I tell the noble Lord that the time has gone by for those antiquated quibbles; the question is too serious and too earnest. Let the noble Lord—a fitting man—come forward and do justice to the land, and he will find plentiful zealous and disinterested supporters. But if the noble Lord thinks that he is to rule this country by a heterogeneous and unnatural combination—that he is to have a Jacobin free-trader on one side of him, and a Conservative Privy Councillor on the other, I tell the noble Lord that he may maintain the Ministry, but he will destroy the Throne. It is not the first time that I have attempted feebly to express these opinions to the House in the behalf of those who honour me with their support. I told the noble Lord last year that it was in the spirit of conciliation that we spoke. [*Laughter.*] Yes, in the spirit of conciliation. Do not imagine that it is not in the spirit of conciliation that we speak, because we may take the opportunity of showing that we are not afraid of those before whom others tremble. I will tell the hon. Gentleman at least this—that I do not use two languages, I am not afraid to say in this House what I say in other places. I am in the custom of hearing things said in other places which we do not hear in this House. It is not in this House that we are told that the English constitution exists only upon sufferance. If I were to express what I think exists only upon sufferance, it would be a great branch of native industry existing upon the raw material obtained from a rival and a foreigner. Now, we have been appealed to in the Speech from the Throne to cherish that constitution which has "combined liberty with order." I want to know what is that constitution which has combined order and liberty. Is it the constitution that we hear of at Manchester, which exists "only by sufferance"—the constitution that the noble Lord's allies permit only to endure? I have always thought it was the constitution that was planted broadly and deeply in the land of England—the territorial constitution, that did not permit the fortunes of this ancient monarchy to depend upon the caprice or passion of a great town. But I want to know how the noble Lord means to maintain this territorial constitution if he does not mean also to maintain a territorial population? I, for one, do not ask him to maintain that territorial population by peculiar privileges, by franchises which other class of the population do not share. I have that confidence in the land of England, that I feel at this moment all it requires is justice—but justice complete and sufficient. I opposed the change in the law which regulated your agricultural industry. I have never suggested for a moment that I approved of that change. I think a more perilous—and, as I believe, a more disastrous—experiment in politics never yet occurred. Such a disturbance of industry, such a break-up of all the influences that govern the political life of this free empire, such a degradation of all the means by which Government was carried on, I believe the history of this country does not afford. But I have ever felt, and I take this opportunity of expressing my conviction, that there never was a mistake greater than supposing that the land of England did at any time depend for its fortune on any artificial law whatever. What the land required, and what it requires now is justice, but I never yet have found a political economist who was prepared to come forward and offer it. The moment that you proceed to speak of the burdens peculiar to the soil, he pretends that those burdens apply to a limited class of aristocratic possessors, forgetting that the most valuable, the most numerous, the most thrifty, and the most hard-working class are the proprietors of the soil of this country—forgetting that the patricians are too often prompt to leave the cause of which they are the native chiefs—forgetting those Lincolnshire copartners to whom my hon. Friend the Member for the county referred to-night—forgetting the statesmen of the north, and the yeomanry of the south. I say we have now brought this question to an intelligible point. [*A laugh.*] I can excuse that laugh; for I believe the question has been put in a point of view so intelligible that it will in future be found very difficult to withstand our demand for justice. If the Minister comes forward —as ultimately he will—and admits the justice of our claims, and that we ought not to be subject to taxation from which other classes are free—if he admits that our property should not be subject to restrictions to which no other property is subject, but says, as he will say, that the condition of the country requires them—he at once admits that in the government of the country the political must interfere with the commercial principle; and then I shall ask him to do us the justice we demand, or to reconstruct the commercial system of the country on principles favourable to the native industry of England.

Lord J. RUSSELL: Mr. Speaker, the hon. Gentleman who has just sat down has asked us not to misrepresent the purpose which he and his friends have in view. But, unwilling as I should be to misrepresent, I own that to form an accurate idea of that purpose, is a thing almost impossible. The hon. Gentleman who moved the Amendment, in a very temperate and fair speech, told us very plainly his purpose was that we should reconsider our recent legislation; and I understand him to be, in a very Parliamentary manner, laying down grounds for such reconsideration, not with a view to adopt an altered state of the law, or to come to any binding resolution, but for a reconsideration of the recent legislation in this country in respect to commercial and agricultural affairs. Nothing could be more fair—nothing could be more decided, than that; and Her Majesty's Government being convinced that such recent legislation was sound, and being convinced that we should not be benefiting the country, but doing it the greatest injury, if we submitted that legislation again to be altered or reconsidered, we were prepared to oppose that Amendment. But then came the right hon. Gentleman the Member for Stamford, who complains that there is not sufficient sympathy expressed in the Speech from the Throne for the distress of the landed interest. On the other hand, the hon. Member for South Lincolnshire said explicitly, "Your pity and sympathy are not what I ask for; what I ask for is acts and measures." Then we have heard from a high authority in another place, who, indeed, goes beyond anything we have heard in this House, but only, however, in the way of a distant prospect, or for the future—and the object of that high authority is to place a new Government in the place of the present Government, and then to obtain a dissolution of the present House of Commons, and form a new House of Commons to ask for the restoration of protection. When I heard those hon. Gentlemen, I thought we should never be embarrassed any longer as to the question at issue, and that we should know what we were voting about—that we were voting either to restore protection or to maintain our present policy. But no—the hon. Gentleman the Member for Buckinghamshire came forward, and, asking us not to misrepresent his purpose, involved that purpose in such an ambiguity of language, in such tortuous expressions, and appeals to our sense of justice, that really it becomes again a matter of the utmost difficulty to know what this Amendment is to mean. Now, let me say to the hon. Gentleman, and to those who support him, that I think there are two courses on such a question, either of which may be constitutionally and properly followed. The one is for you, the independent Members of Parliament, to say, "We don't agree with all the expressions of the Address. We think one part of it might be more warmly worded: in another part we think you express too much satisfaction. You exaggerate the prosperity that prevails in one place, and do not regret the distress which prevails with sufficient sympathy in another; but these are general phrases, and we mean to give our concurrence to the Address." Another course, which is equally Parliamentary and constitutional, is to say, "The state of the country is such, and the views of the Govepnment are so erroneous, that we cannot allow one day to pass, and we must at once express our opinion, and, whether in a minority or in a majority, call on the House of Commons to say, if a system injurious to the best interests of the country, should be persevered in, and ask for better legislation than it is in the power of the Government to yield." But the hon. Gentleman the Member for South Lincolnshire has taken a third course — that of having an unmeaning Amendment. And not being satisfied with the Address as proposed by Her Majesty's Ministers, he proposes to have an address, obscure and ambiguous in its phrases. ["No, no!"] That, I say, is the result of the hon. Gentleman's Amendment. ["No, no!"] What have we been told? [*Cries of* "Read, read!"] I will read it presently. The hon. Gentleman says we are not restoring protection by this proposition, and we are not preparing to revert to a course of policy that has been abandoned. Now, in referring to the Amendment, I must first observe as to what has been called the insult to the agricultural interest which has been offered by Her Majesty's advisers. I cannot but say, in the first instance, that nothing was further from our intention— that we have heard with great regret of the suffering and distress which exist in various parts of the country; and nothing would give us greater pleasure than to be able to say that by some manner of relief that suffering should be put an end to. The words of the Address are—

> "The House sympathises with the regret with which Her Majesty has observed the complaints which in many parts of the kingdom have proceeded from the owners and occupiers of land, and beg to assure Her Majesty of the sympathy with which they hear that Her Majesty greatly laments that any portion of Her subjects should be suffering distress; while it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life which cheapness and plenty have bestowed upon the great body of Her people."

Now, the Amendment proposed is as follows:—

> "That we regret, however, to be compelled humbly to represent to Your Majesty that in many parts of the united kingdom, and especially in Ireland, the various classes of Your Majesty's subjects connected with the cultivation of the soil are labouring under severe distress, mainly applicable, in our opinion, to recent legislative enactments, aggravated by the pressure of local taxation."

Now, I own I do not see in those words, except as they relate to Ireland, any material difference from the words proposed in the Address. ["Read, read!"] I will not read the words again, but I have read those words which were said to be inserted with a view of insulting the agricultural interest. We say in the Address, that we sympathise with Her Majesty in greatly regretting that any portion of Her subjects should be suffering distress; and the Amendment says that there are certain classes suffering severe distress. But another question is raised in this matter. It appeared to us, much as we should have rejoiced in an opportunity of advising Her Majesty to declare the opinions we entertain with respect to the recent commercial policy, that the time was not a fit one to propose that that expression of opinion should fall from Her Majesty. It has always appeared to us, that — in conformity to recent custom with regard to matters of legislation, upon which Parliament may have to give an opinion in the course of the Session — it is better to reserve those questions upon the first night of the Session, and rather to give an opinion as to the actual state of the country, than to attribute that legislation to any acts of the Government. But the Amendment does not take that course. The Amendment goes on to say, that this distress is

> —"mainly attributable in our opinion to recent legislative enactments, the operation of which is aggravated by the pressure of local taxation."

Now, I must say, if I had thought it right to advise Her Majesty to give any opinion with regard to recent legislation, I should have advised that, in saying "it is a source of sincere gratification to Her Majesty to witness the increased enjoyment of the necessaries and comforts of life which cheapness and plenty have bestowed upon the great body of Her people," I should have been disposed to add, that "having greater enjoyment of the necessaries had comforts of life was in a great degree owing to the recent legislation of Her Parliament." Nothing would have pleased me better than to bring to the test at once the question of whether that legislation was calculated for the benefit of the people or not; but I did not think it respectful to those who advocate a different opinion. I was in hopes at least that we might be able by the Amendment to bring the question to the test; some have declared they were also; but the hon. Gentleman who has just spoken seems to entertain a different opinion. With regard to one subject upon which the hon. Gentleman has dilated at considerable length, I rather think he must have one apprehension which I should be glad entirely to remove. The hon. Gentleman speaks of the heavy taxation upon the raw material, meaning the land of this country. I am persuaded that the hon. Gentleman thinks that my right hon. Friend the Chancellor of the Exchequer is about to propose an increase of the land tax. Now, it is not for me to inform the hon. Gentleman and the House of the nature of the Cabinet secrets; but with regard to those mysterious Cabinets to which he has alluded, and which mysterious Cabinets are generally held every autumn, I can assure him, without telling him any secret, that there did not issue out of any of those Cabinets a determination on the part of the Government, to increase by a single penny the present land tax. I dare say the hon. Gentleman was afraid that we might have adopted a certain plan which has been much discussed throughout the country, and has excited a great deal of attention, which proposes by a very large augmentation of the land tax to get an enormous sinking fund for the purpose of easing the landed interest, and at the same time paying off a large portion of the national debt. The hon. Gentleman seems to apprehend that my right hon. Friend the Chancellor of the Exchequer had resolved to get hold of the land for the purpose of taxation—an error from which he might easily be saved, by considerations of the most obvious kind. Now, Sir, with regard to the present state of the landed interest, we must consider—and at this late hour of the night I will endeavour not to do it at any great length—we must consider, I say, a little both what has passed, what is now present before us, and what is likely to be the future condition of land. Now, I considered ten years ago, that, with the great increase of our population, with the great rivalry there was in the various branches of manufacture, with the necessity for employing that great increase of population, we might some day or other find the increase of population was out of proportion to the increase of the means of disposing of their industry; and I, therefore, entertained a strong disposition to effect a compromise on the question of the corn laws—a compromise by which protection might be somewhat reduced without admitting too large a quantity of foreign corn. Such a change I did believe would not have borne too hard upon the landed interest, because I had no intention that the change should be effected at once, but, on the contrary, that it should be gradually introduced. That proposition, as we all very well remember, did not find favour with the landed interest, but it did meet with favour from those who called for a total repeal of the corn laws, or who, up to that time at least, were loud in making that demand. Those, I say, who were for total abrogation would then have been content with the proposition which I at that time regarded as a fitting compromise on the question of the corn laws; and then that body which the hon. Gentleman opposite considered to be so formidable — I mean the Anti-Corn-Law League—would at once have dissolved itself. If our proposition had been agreed to, the League would have proceeded no further. However, the landed interest would not hear of it. At the end of the year 1845 we came to the conclusion, and the Government of the day came to the same conclusion about the same time, that it was no longer possible to make any compromise upon the subject, but that the corn laws ought to be altogether repealed, and that at no distant time. Parliament has done that. About a year ago the repeal actually took effect, and we are now paying a duty which gives a considerable sum to the revenue; but still it is not onerous to the consumer, and the people of this country have the benefit of procuring food upon the cheapest terms that it can be procured. That being the case, we have to consider, after a very short experience it is true, but still after a year's experience, what is the present state of the country with that entire freedom in the article which is the main subsistence of the people of this country. Why, if we look at the great interests of the country, we see that they have increased. If we look, first, to the condition of the main body of the people, as represented by returns from the poor-law, we find that of ablebodied poor there was no less a diminution than 30,000 on the 1st of January, compared with the corresponding period of last year; if we look to the returns of our shipping, we find our shipping has much increased; if we look to the exports, we find an increase of 10,000,000*l.* in 1849 over the year 1848; and if we look to various other sources of wealth, we find that upon many of them the accounts are exceedingly satisfactory. If we look to the returns from that great branch of the revenue the Excise, which is supposed to be an index to the state of comfort of the people, we find that revenue has increased and that it shows an improved condition of the population. I must say likewise that I hear from all parties, and I receive letters daily informing me of it, that the great body of the people are obtaining the advantages of cheapness and plenty, and that they are now in a better condition than they have been for many years before. If that is a true account of the state of the country, is this a moment when the Government ought to say, "We desire now to retrace our steps, and to alter the law upon which we had agreed?" I must say I always considered, that was a reason for wishing for a compromise, that there could hardly be a transition from a state of extreme restriction to complete freedom of commerce in the article of food, without very considerable suffering on the part of owners and occupiers of land. That suffering has come; but I must say it has not come in so aggravated a shape as I should have expected. ["Hear, hear!"] Well, now, with regard to price. Look back to the extremely uneasy and troubled period with regard to this subject, which has extended ever since your enactments in 1815. What were the complaints of the agricultural interest in 1822? Did we not hear then of farms being given up, of farmers being unable to live upon the produce of their farms? What did we hear in the year 1836? During 1835, the price of corn fell until, at the end of the year, it had fallen to 36*s.* a quarter. That price, be it observed, is 4*s.* 6*d.* a quarter under the present price, with all the importations that have taken place. But then I see it has been repeated over and over again in the country, "Yes, but in 1835 there was no foreign importation; and, although the farmer got 36*s.* a quarter, that was all for English wheat, because no foreign wheat was imported." If the case was that we have this year a very deficient harvest, I could understand the farmers saying that, with a deficient harvest, and having only a small quantity of produce to dispose of, it is hard upon us to receive only 36*s.*; but if the case is the contrary, if the harvest has been abundant, more nearly resembling that of 1835 than that of any recent year, I again say, "What does it matter to the farmer when he goes into the market and receives 40*s.* a quarter for his corn, whether the person who sells another quarter of corn for 40*s.*, is a man from the next parish, the next county, or from a neighbouring kingdom, or one who brings his flour over the Atlantic from the United States?" What does it matter to the farmer with whom he competes if his price is equal to that which his competitors obtain? I have heard hon. Gentlemen, one after the other, lamenting that we have received 12,000,000 quarters of different kinds of corn, and that we have received upwards of 4,000,000 quarters of wheat in the course of last year. But they are obliged to add that nearly the whole has been consumed. I cannot, therefore, sympathise with that complaint. I say if the people of England have enjoyed a greater command of the great necessaries of life, if working men are able to purchase their loaf of bread cheap, if they have consumed a great quantity, and after all the price is higher than that which they paid in 1835, when protection existed, I own I cannot sympathise with complaints of great imports. Upon the contrary, I rejoice that the means of consumption have increased. But there is another consideration. It is one into which I certainly cannot go at length, and, therefore, I must leave it for hon. Gentlemen's consideration. I do not believe there has ever been one instance of a great trade being opened which had been previously restricted into which there was not immediately a great rush; where the abundant surplus capital of this country and its speculative spirit, were not directed immediately towards that trade; and where you have not found, in the first place, that there was a very great abundance of the articles supplied, and where, in the next place, many persons have been disappointed with their speculations, and the trade has afterwards gone on in a less profuse manner. That was the case with the opening of the markets of South America; it was the case with the opening of the China market when the East India Company's monopoly was done away with; it has been the case, I believe, to a great extent, with regard to the corn trade; and from all that

I hear, many of those persons who have introduced corn into this country have been losers and not gainers by their transactions. If that has been the case, I think it very probable—I will not say certain, for I do not like to predict in these matters—whatever may be the case for the next five or six months, that we shall have higher prices than we have had for the last six months. But there is another consideration, with reference to all the calculations that are made, with which one hon. Gentleman opposite, the Member for North Lincolnshire, favoured us to-night, namely, with regard to the balance of profit and loss. Supposing that the price of corn was to be permanently a good deal lower than that which it has been for the last ten years, it is obvious that upon the beginning of a change, every charge upon a farm, the fixed charges for live stock and wages, having been all calculated upon the previous average price of corn, there would be a very considerable outlay, and that outlay would not be repaid by the produce of the farm in the first year of the change. But supposing a farmer to begin after that change has permanently taken place, why then all those articles on which he is afterwards to count, on which a profit is afterwards to be gained, he obtains at that lower rate, and he is then to make a new calculation, first, as to the expenses of his farm, and then as to the remuneration he obtains, and the prices of his produce. Now that calculation has not yet been made; all the calculations we have heard, go on the supposition that his expenses are to be calculated on the average price of the last ten years, but that the sale of the produce is to be calculated on the average of the last six months. So far all these calculations are deficient in supposing prices to be permanently reduced, and we shall have to make fresh calculations as to the price of the produce. [Mr. Christopher: I made allowance for that.] The hon. Gentleman made an allowance with respect to some articles, but with respect to others he did not. But looking at the present state of the question, I will ask the House to consider—because that, after all, is the real question—whether we are to take the first step to a return to protection. We have been told that it is impossible this country should flourish otherwise than with protection, and that we must sooner or later return to that system. I do not believe that the plans which have been framed for relief to the agricultural interest, by taking off taxes which affect them—I do not believe that the hon. Gentleman who made a proposition of that kind, even if it were to be carried to the utmost extent they wish, would confer the benefit upon the farmers which they expect. The question then is, whether you could confer it by returning to protection. And let me ask the House to observe the position in which we are placed. The question is not as to keeping up a restriction which exists; its conditions have been totally changed since the corn laws were repealed. This question comes to that fundamental one—should you by Act of Parliament procure a price for one article of produce of sale different from that which the producer would otherwise obtain in the market? Now, Sir, that is a question, with respect to an article of this kind, of the utmost importance and of the utmost delicacy. If my right hon. Friend the Chancellor of the Exchequer were to say, I want more revenue from silk—supposing that revenue were wanted, and we had not means sufficient in the Exchequer—some might complain that the price of silk was raised; some might even say that it was a protection to the silk manufacturer of this country; but there would be a great body of persons who would be seriously affected by that dearness of the silk manufacture. But this is a question which does not concern merely the owners and occupiers of land, or even the farm labourers, if you suppose them to have an interest identical with the owners of the land; it is a question which concerns the whole body of the people. And I must say I wonder to see the limited view which some of those who have procured the convocation of public meetings in this country have taken of the subject. I saw that a noble Lord, in addressing a meeting in the county of Down, complained that he could not obtain a majority at the meeting he had called, because persons who had no stake in the country had intruded themselves on the lieges, and given an opinion on the question. Why, Sir, in this question every man has the right to give an opinion. There is not a man, woman, or child who has not an interest in the question; and if you were to put on a duty which you would say would raise the price of corn one shilling, or eighteenpence, or two shillings the bushel, every man would count the shilling, or eighteenpence, or two shillings of wheat which he would have to pay for the support of his family in addition to that which he pays at the present day. Now, are you ready to face that question? Are you ready to face the discontent which you would presently awaken? And observe this, you would be considered responsible not only for the effect which your law might produce in raising the price of corn, but for every accidental rise which the course of the seasons, or the inadequacy of supply from foreign countries, might produce even in the present rates. Supposing you leave this law to its operation, if the price of corn rise from 40*s*. to 45*s*., or to 50*s*., no man in the country will have a right to complain, and I believe no man in the country will complain. They will say, "Justice has been done us; we have the corn as cheap as it can be procured; and if the price of bread is dear this week, and we must consume less of it than usual, at least we have no fault to find with our Legislature for making it dear." But if you had a rise in price from 40*s*. to 45*s*. or 50*s*., after you had passed a new law regulating the importation of food, depend upon it that the discontent will be deep and universal. Some hon. Gentlemen think that we sneer at the landed interest because they have made complaints. I acknowledge perfectly their right to make complaints. When any Englishman thinks he is suffering hardship, or has had injustice done to him, he is quite right to make his complaint, and to make it as loud as he thinks proper, that he may obtain redress from what he deems an injustice. Well, then, in the case I have been supposing, you will have complaints loud enough, and frequent enough, assailing Parliament for imposing an additional price to enhance the cost of the daily food of the people. Do not conceal that from yourselves. You would be ready to face, no doubt, and I believe you would be enabled to overcome, any complaint of the institutions of the country, any attacks upon the House of Lords or the Crown, as institutions which were not useful to the country. But is it not much wiser not to put these matters into question—not to raise any discussion upon them? Review the situation in which we have stood during the last two years: have our institutions been assailed? Has there been anything beyond the lowest murmurs amongst the people in general with respect to the nature of our institutions? But have a general election upon this question of protection before the country—have it again agitated in Parliament—who can say what subjects may not be mixed up with that discussion, and what institutions you may not be called upon to defend? Let me tell you it is far wiser not to put any of those matters into question. Defend them you can—defend them you will. I should be happy to be associated with you in their defence. But this, I say, is the course of prudence, to continue the policy that you have adopted, not to raise a complaint amongst the people by favouring a particular class. By establishing a legislative price for the necessaries of life, you would cause a doubt to be raised as to the sympathy of the Legislature with the great body of the people. Well, Sir, if that is the case, I beg you, the owners of land, to consider your present position. I do not know any higher or better position than that of a gentleman in England. I think it is Gibbon who says he thanks God because he was born an Englishman, but he thanks God again that he was born an English gentleman. An English gentleman, possessing an estate in the country, looked up to by his neighbours, able to do acts of beneficence and generosity to those about him, having sufficient business to employ his time, having sufficient leisure for recreation or for literature, called, if he is ambitious of a seat in the Legislature, to take a part in the most stirring political debates, and to influence the fortunes of his country—I say such a man, in such a position, is indeed fortunate. I say he would do most rashly if he were to risk that position for the purpose of giving to a particular class an advantage by legislation which other classes do not ask, and would not obtain. If that be so, then I ask the House to be contented with the present state of our legislation. We have made a great change—a great change which is accompanied by distress among a portion of the people of the united kingdom. Whatever may be considered by the hon. Gentleman opposite, or any other person, best for the relief of that distress, with fairness to all other classes, let that be proposed, let it be examined—accepted if useful, rejected if it would not be useful. But do not attempt, now that the question of protection has been decided by a Parliament, and those who in that Parliament gave that vote for the destruction of protection have been again submitted to the judgment of the country and returned to Parliament—do not attempt by a fresh vote to disturb that settlement, and to make it matter of doubt whether your deliberations have that constancy, that firmness, and that regard to the interests of all Her Majesty's subjects, which it is your bounden duty to entertain. Let me add, likewise, that my belief is, that the course of policy begun by the Legislature in 1842, under the Administration of the right hon. Gentleman the Member for Tamworth, whom I now see opposite, and continued in subsequent years both by his Administration and that which has succeeded him, is to open a great source of peace and of prosperity to this country and to the world. I believe that with reference to an Act which we passed last Session, for the repeal of the navigation laws, we have never sufficiently known what benefits that Act may procure for the country. That the nations of the world should be in haste to follow us, is what I never expected; that with respect to that Act in particular, they should show a disposition to follow us, is what I am happy to recognise. But if you say now that you doubt of your own decision, that you are about to go back on that decision, that you are about to resume that which they thought you had discarded as an erroneous theory and injurious practice—expect no more such benefits from the reciprocal goodwill of foreign nations—expect them to be confirmed in all their notions of the benefits of monopoly and restriction. I say, then, that by your decision to-night you will not only exercise great influence upon the welfare of the people of this country, and upon the fortunes of this great State; but you will likewise decide whether your example shall be beneficial or injurious to the world.

Mr. COBDEN: Sir, I have not risen to make a speech, but to express my regret that there is not an occasion afforded for discussing the question which I thought was to be submitted to us on this occasion. I came into this House fully convinced that before forty-eight hours had elapsed, an opportunity would be afforded those who are supporters of protection, and those who are advocates of free trade, to discuss those two principles in this House. I must say that what has passed in the country has convinced me of the necessity of having that discussion instantly; for I cannot shut my eyes to the fact that a very large and influential body of the community are under an impression that the question of protection and free trade is not settled in this House. Any one who has had his eyes open for the last three months will admit that there has been an amount of agitation in this country sufficient to show that there is a very intense feeling on the part of the occupying tenants of this country, a large portion of the agricultural community—that the House is prepared to reconsider the question of the corn laws, and that an injustice has been done to a portion of the community which this House will remedy. It has been said that that movement has been a movement, not of the landowners, but of the farmers. It may be so; but, at all events, the farmers recognise, as their representatives and leaders in this House, the Gentlemen whom I see opposite, and I firmly believe that they are under an impression that a very large body of hon. Members opposite have come to this House on the present occasion prepared to vindicate the principles which they believed to be just, and which they expect to see carried out in the legislation of the country. I must say that, so far as the Government has been concerned, there has been no disposition to palter with this question, and not the slightest hesitation in meeting it on its merits at the very opening of the Session. For it has been a subject of complaint by hon. Gentlemen opposite, and the hon. Member for Buckinghamshire has himself alluded to it in no very kindly terms, that the hon. Member for Wolverhampton, formerly a leading member of the Anti-Corn-Law League, and who annually brought forward a Motion for the repeal of the corn laws, was put forward to move the Address to the Crown, thereby offering a distinct and unequivocal negative to the principles which hon. Gentlemen opposite espouse. I must also say that in an early part of this debate a considerable number of hon. Gentlemen opposite did take a fair and candid course on this question. They have not hesitated to say what their objects are; they have not dealt in mystification; they have not attempted to lead us away from the question before us; they have been peculiarly abstinent in personalities or attempts at sarcasm. They have broadly stated that protection to native industry is desirable and necessary for the agriculturists of this country, and they have fairly discussed the question. But what has fallen from the hon. Member for Buckinghamshire has altogether changed the character of the debate; he has totally altered the issue of our coming decision. For he has told us that the question before us is not the question of protection, or free trade—that we are not on this occasion going to decide whether the principle of protection to native industry is or is not to be the principle of this House. He says that "it may or may not be" expedient, at some future time, to test the opinion of this House on the subject, but that, to-night, no hon. Gentleman who votes, commits himself at all upon the question. I must say that it is a very sorry beginning, after so loud a preparation as has been heard throughout the country. I do not know whether the farmers are able to comprehend the position in which they are placed by the movements of parties on the other side. If I found a body of gentlemen agreeing with their leader, I should know exactly what course they were going to take, what principle they adopted. When I find Gentlemen opposite disposed to take the course which every man of common sense would think they all intended to take from the terms of their Amendment—and when I find them followed by their leader, who distinctly repudiates everything which his followers have said before him, then, I think, the farmers of this country must have an acuteness which surpasses that of any one on this side of the House, at all events, if they can understand what course their friends in this House mean to take. I must say this is a very convenient plan by which the members of a party and their leader make up accounts together—the rank-and-file going one way, the leader another; and it is left to their confiding partisans out of doors to decide who is promoting their interest, and who best represents their principles. The hon. Member for Buckinghamshire frequently alluded to what has taken place out of this House. The hon. Gentleman out of this House sometimes makes statements of a personal character—sometimes indulges in little invectives and personalities which he does not always like when used by other parties. I remember that the hon. Gentleman, at a meeting at Marlow some time ago, stated that a county meeting was not a proper place, but that the House of Commons was the proper place, for discussing the question of free trade and protection. Well, here I am on the floor of this House, and not in Buckinghamshire, anxious to argue with him. The hon. Gentleman has talked of every subject except protection to native industry. I do not know whether it was not fifty times over that the hon. Gentleman referred to the raw material of land. I have some doubt whether the hon. Gentleman did not attribute that term to somebody on this side of the House; but, for my part, I saw that the term had been used at Great Marlow, and I certainly adopted it, as I thought it a good definition, though I did not do so without acknowledging it. The hon. Gentleman said that land was the raw material; but he went further, and said that the raw material belonged to the landowner, and that no Act of Parliament could interfere with him in the disposing of it, but that that was a question solely between him and his tenant. He said further, that we should revise the taxation on that raw material. Now he professes to come here in order to serve the tenant-farmer; but how abolishing taxation on the raw material can have that effect, I am utterly at a loss to understand—that raw material being, as he told the meeting at Marlow, the legal and exclusive property of the landowner. What I understand the farmers to say is, that their capital is diminishing—that is, their floating stock on this raw material is daily lessening, and they want a law that will raise the price of their produce so as to save this floating capital from being entirely exhausted. The hon. Gentleman, instead of proposing a measure to that effect, gives us some hints of a proposition which will reduce the taxation on the landowner's raw material. Now I think that everybody in this House, whatever they may think of free trade, or protection, will admit that it is most desirable this question should be settled as soon as possible. I say it advisedly, that no honest man in this country can desire this question should be kept over longer than it can possibly be avoided. If there be any party or any individual in this House who wishes to make protection a stalking-horse to power, without any serious intention of ever attempting to restore it—who could have any such motive as that of hoping for a time—as it could only be for a time, when dealing with so much intelligence as that of the English population—by mystifying this question, and by pretending to advocate protection, when they did not dream of the possibility of ever returning to it—I say that such an individual would be one of the greatest enemies that the British farmer could have; and not merely that, but he would be the greatest enemy to the country at large, because we have all an interest, whether we are farmers or individuals connected with trade or manufactures, in the successful operations of agriculture. Now, I have the fullest confidence in my fellow-countrymen that they can accomplish anything that it is possible for human beings to accomplish, if you only let them know what it is they have to do. But if you tell men, who are sinking from want of exertion, to wait with their arms folded, until some other power does that for them which they can do for themselves, you paralyse their industry, and render the finest race in the world powerless and helpless. I cannot conceive any rational ground why any hon. Gentleman opposite who is a protectionist landlord should act as they have been acting lately—why they should be running about the country dissatisfying the farmers with their land, and disheartening them with their sole pursuit in life. Is it possible they can carry on their business with success, or escape ruin, while such a course is pursued? Were there ever dealers in raw material before who had acted so foolishly? There is an unsavoury simile which I must not use in this House, that can alone apply to such conduct, and those who wish to know it had better go to Billingsgate to find it. You are not only decrying the value of your own property, but you appear to be unconscious of the question before you. The question of free trade must be one day or other decided; and decided, as all rational men know it will be, by depriving of hope any man who expects by coming to this House to get the price of his produce raised; and should not hon. Gentlemen see that the very depreciation which they now seek to cast on their land will be returned on the audit day then with compound interest. Is there no sensible or rational-minded being, who can see two inches before his nose, to tell these unfortunate, misguided, and suicidal landlords, that they are going the best possible way to ruin themselves and their children after them? But not only are they ruining the land, but they seek to discredit every one who wishes to show that it can be cultivated more successfully than it has been. Does any rational and benevolent man step out from the walks of his profession—like Mr. Huxtable, but they seek to cry down his efforts at improvement: so also with a worthy man in Leadenhall-street, who goes down to Essex to see what can be made out of barren heaths. It may be that he cannot show in his accounts a debtor and creditor statement to satisfy you that he is making money by his experiments; but I ask you what innovator or experimenter ever derived profits from first experiments? What manufacturer, I ask, ever derived profit from a first discovery? I cannot, I repeat, understand on what rational principle these hon. Gentlemen have proceeded. I ask, why the noble Marquess the Member for Stamford should be allowed to go at large about the country telling the farmers that they cannot carry on their business, even if they pay no rent at all? I should like to hear some of the conversations that will take place at the rent-audit at Belvoir Castle next autumn. If I had been one of the territorial aristocracy, I should not like to have one near me preaching such destructive doctrines—I should expect to hear of their coming back to me in a very inconvenient way at the first audit day. I am not going to trespass on the time of the House at this late hour by entering into the general question; but what I want to know is, when we are to have this question discussed? I thought it was legitimately before us now; but the hon. Member for Buckinghamshire, who is your leader, has told us that the question is not to be discussed on this occasion. But this is not the first time that the hon. Gentlemon has avoided the question of protection. I was struck last Session with the systematic and cautious way in which he avoided any allusion to the question of protection; and I must say that it comes with very bad grace from the hon. Member that he should deal in any way but the most direct and intelligible with this question, because there is no one in this House who has played so constantly the part of censor upon others, whom he accused of having led a party while they were secretly convinced that that party had objects which could not be accomplished. Now, if the hon. Gentleman thinks that protection can only be settled in this House, that settlement can be effected, not by sarcasm, not by rhetoric, not by jesting, but by solid and serious argument. The hon. Member was fairly challenged to the discussion by the speech of my hon. Friend the Member for Wolverhampton. There never was a speech which more fairly challenged to that discussion than the speech of my hon Friend. If the principle of protection was ever again to be established, it could only be by the same process by which the corn laws were repealed—by discussion of the question. There had been enough of discussion out of the House—there had been more county meetings held, and that in the depth of winter, too, than at any time since the passing of the Reform Bill. The subject was, therefore, ripe for discussion, and the hon. Member for Buckinghamshire was responsible for introducing it to this House; and I therefore call upon him to do it at once—to give notice to-morrow of the time when he intends this question to be discussed. I have only one word more. I much admire the speech of the noble Lord who has just sat down. The noble Lord has taken a great and comprehensive view of the influences and effects of free trade, and more particularly with regard to the navigation laws. But the noble Lord dropped one remark in reference to what was now an historical fact—relative to the conduct of the Anti-Corn-Law League and the 8*s*. duty. The noble Lord said he knew that body were prepared to accept the compromise. Now, having myself been, during the time, a prominent member of that association, I think it is but just to those who were connected with me, as well as to myself, to say that they did not believe that proposition would effect a compromise or settlement of the question. I do not say that it would not have allayed the agitation for a time; but I believe that the principles of free trade had taken such deep hold on the public mind that it never would have been set at rest. And I would beg to call the noble Lord's attention to the fact, that whatever he might have done respecting a fixed duty in 1841, the time was not far distant, in 1846 and 1847, when any fixed duty must have been scattered to the winds; and therefore I believe that the repeal of the corn laws—though it was a measure which any man might have been emulous of achieving — was neither to be attributed to the noble Lord, nor to the Anti-Corn-Law League, nor to the statesman who was the author of the measure, so much as to that calamity which befell the country in 1846 and 1847. I have only to repeat my request, my solemn request to the hon. Member for Buckinghamshire, as he values the interests of the farmers of England, to lose no time in bringing the question of protection fairly before the House.

Mr. DRUMMOND said, he was not going to make a speech at that advanced hour of the night, or rather morning. The hon. Gentleman who had just sat down declared that it was his intention to watch the conduct of those Gentlemen, Members of that House, who attended county meetings in the various provinces, with a view to see if they would come forward, and here in that House avow the sentiments they had enunciated from the platform. The hon. Gentleman had also called on the farmers of England to watch them to see if they would utter in that House what they did not fear to speak out of it. Now, he begged to give that hon. Gentleman notice that he (Mr. Drummond) was then fully prepared, as he would be on any future occasion, to justify every word he had ever spoken, as well as to go into the broad question of protection and free trade with the hon. Gentleman. He would not insult the feelings of hon. Gentlemen on his side of the question by appealing to them to ascertain if they were not equally prepared to meet the question, for he believed there was not a single one of them that was not prepared and anxious to come forward and justify their principles. Therefore, that the hon. Gentleman the Member for the West Riding should understand the ground on which he rested the question, he would say he cared not comparatively for the welfare of the landlord class, but he accused that hon. Gentleman of wishing to sacrifice the English labourer for the benefit of the manufacturer and the foreigner. That was his assertion; and after that the hon. Gentleman could not be mistaken as to the nature of the question at issue between them.

Colonel THOMPSON rose, amidst loud calls for a division. He said it was not at his option whether he addressed the House or not; but he should do it as briefly as the temper of the House appeared to counsel. He represented a constituency whose interests were directly destroyed by the principles advocated on the opposite side; and the speakers of that side had furnished him with his text. The protectionist speakers had made loud demands for justice. He would ask what would be thought of his side, if the people of Bradford had stated that they had mills and manufactories which only wanted one thing to make them go on, and that was a duty on home-grown corn? The hon. and gallant Member proceeded to say he would take the assistance of a piece of history, given by a clerical wit now deceased. He would assure the House it was a better joke than had been uttered by the best of the protectionist orators that night. A bishop was pressed by a set of hungry followers for food, and he cried, "Throw out to them the dinners of the Dean and Chapter." Now, the protectionist claim was to throw out the dinners of the people of Bradford, and he did not see why that should be agreed to without the stoutest possible opposition.

Appeal had been made to the rights of labour. Our trade is to make goods to be exchanged abroad for corn; and do we not labour? He would now go to the consequences which the protectionists had entailed on themselves by this effort to return to protection. They had laid open the sore place. Manchester with 14,000 constituents sent two Members, and the Tower Hamlets with 15,000, while places under the influence of the agriculturists sent two Members with 300. The protectionists had reiterated their assurances that they would never give over till they got back. Their chances of getting back were therefore dependent on their preserving an advantage of fifty to one in the representation. He wondered where the hon. Member for Nottingham was eclipsing himself; for if he could see him he would ask him whether this was not the opportunity to cry to those dogs of war he was reputed to have under his control, "Up, guards! and at 'em." All this would be carefully explained in those calmer assemblies which were the first workshops of all political combinations. He had always been opposed to that burning of the regimental books which had taken place in one powerful association, on the accidental success which the enlightened and conscientious conduct of the Member for Tamworth had given them; and he hoped they would now see the necessity of throwing all their force into the new line he had pointed out, of demanding the cessation of the fifty-fold majority of the agriculturists in the representation. He thanked those who had supported him in gaining the hearing he had had; and there were places at Bradford, and larger still elsewhere, where any defects in the explanations of his views could be amply supplied.

Question put, "That those words be there inserted."

The House divided:—Ayes 192; Noes 311: Majority 119.

List of the AYES.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bagot, hon. W.
Bailey, J.
Bailey, J., jun.
Baillie, H. J.
Baldock, E. H.
Baldwin, C. B.
Bankes, G.
Baring, T.
Baring, hon. F.
Barrington, Visct.
Barron, Sir H. W.
Bateson, T.
Bell, M.
Bennet, P.
Bentinck, Lord H.
Berkeley, hon. G. F.
Bernard, Visct.
Best, J.
Blakemore, R.
Blandford, Marq. of
Boldero, H. G.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Broadley, H.
Broadwood, H.
Bromley, R.
Brooke, Lord
Bruce, C. L. C.
Bruen, Col.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Burghley, Lord
Burroughes, H. N.
Cabbell, B. B.
Carew, W. H. P.
Cayley, E. S.
Chandos, Marq. of
Chatterton, Col.
Cholmeley, Sir M.
Christopher, R. A.
Clive, H. B.
Cobbold, J. C.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Conolly, T.
Cotton, hon. W. H. S.
Davies, D. A. S.
Deedes, W.
Dick, Q.
Dickson, S.
Disraeli, B.
Dod, J. W.
Dodd, G.
Drummond, H.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncombe, hon. O.
Dunne, Col.
Du Pre, C. G.
East, Sir J. B.
Egerton, Sir P.
Evelyn, W. J.
Farnham, E. B.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Galway, Visct.
Gaskell, J. M.
Goddard, A. L.
Gooch, E. S.
Gore, W. O.
Granby, Marq. of
Grattan, H.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Harcourt, G. G.
Harris, hon. Capt.
Heathcote, G. J.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord E.
Hodgson, W. N.
Hood, Sir A.
Hornby, J.
Hotham, Lord
Hudson, G.
Inglis, Sir R. H.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knight, F. W.
Knightley, Sir C.
Knox, Col.
Lascelles, hon. E.
Law, hon. C. E.
Lennox, Lord H. G.
Leslie, C. P.
Long, W.
Lopes, Sir R.
Lowther, hon. Col.
Lowther, H.
Lygon, hon. Gen.
Mackenzie, W. F.
Manners, Lord C. S.
Manners, Lord G.
March, Earl of
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Morgan, O.
Mullings, J. R.
Mundy, W.
Naas, Lord
Napier, J.
Neeld, J.
Neeld, J.
Newport, Visct.
Noel, hon. G. J.
Packe, C. W.
Palmer, R.
Plumptre, J. P.
Portal, M.
Powell, Col.
Powlett, Lord W.
Prime, R.
Pusey, P.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Rufford, F.
Rushout, Capt.
Sadleir, J.
Scott, hon. F.
Seymer, H. K.
Sibthorp, Col.
Smyth, J. G.
Somerset, Capt.
Somerton, Visct.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanford, J. F.
Stanley, E.

Stuart, J.
Sturt, H. G.
Taylor, T. E.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Trevor, hon. G. R.
Trollope, Sir J.
Verner, Sir W.
Villiers, hon. F. W. C.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Welby, G. E.
West, F. R.
Williams, T. P.
Willoughby, Sir H.
Worcester, Marq. of
Wynn, Sir W. W.
Yorke, hon. E. T.

TELLERS.

Beresford, W.
Newdegate, C. N.

List of the NOES.

Abdy, T. N.
Acland, Sir T. D.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Alcock, T.
Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, rt. hon. M. T.
Baring, rt. hon. Sir F.T.
Barnard, E. G.
Bass, M. T.
Beckett, W.
Bellew, R. M.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Birch, Sir T. B.
Blackall, S. W.
Blewitt, R. J.
Bouverie, hon. E. P.
Boyle, hon. Col.
Brand, T.
Bright, J.
Brocklehurst, J.
Brockman, E. D.
Brotherton, J.
Brown, W.
Browne, R. D.
Busfeild, W.
Buxton, Sir E. N.
Cardwell, E.
Carter, J. B.
Castlereagh, Visct.
Caulfield, J. M.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cavendish, W. G.
Chaplin, W. J.
Charteris, hon. F.
Childers, J. W.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir C.
Clifford, H. M.
Cobden, R.
Cockburn, A. J. E.
Cocks, T. S.
Coke, hon. E. K.
Colebrooke, Sir T. E.
Collins, W.
Copeland, Ald.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Cubitt, W.
Currie, H.
Currie, R.
Dalrymple, Capt.
Dashwood, Sir G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Denison, E.
Denison, J. E.
Devereux, J. T.
Divett, E.
Douglas, Sir C. E.
Douro, Marq. of
Drumlanrig, Visct.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncombe, T.
Duncuft, J.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Ebrington, Visct.
Ellice, rt. hon. E.
Ellis, J.
Elliot, hon. J. E.
Emlyn, Visct.
Enfield, Visct.
Estcourt, J. B. B.
Evans, Sir D. L.
Evans, J.
Evans, W.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Fitwilliam, hon. G. W.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Greenall, G.
Greene, J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Guest, Sir J.
Hallyburton, Lord J. F.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Hawes, B.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heald, J.
Heathcoat, J.
Heneage, G. H. W.
Henry, A.
Herbert, rt. hon. S.
Hervey, Lord A.
Heywood, J.
Heyworth, L.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Horsman, E.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, P. H.
Hume, J.
Humphery, Ald.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Johnstone, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Legh, G. C.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lockhart, A. E.
Loveden, P.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
M'Taggart, Sir J.
Mahon, Visct.
Maitland, T.
Mangles, R. D.
Marshall, J. G.
Marshall, W.
Martin, J.
Martin, C. W.
Martin, S.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Milton, Visct.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morison, Sir W.
Mostyn, hon. E. M. L.
Mowatt, F.
Mulgrave, Earl of
Muntz, G. F.
Mure, Col.
Norreys, Lord
O'Connell, M.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Oswald, A.
Owen, Sir J.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Pakington, Sir J.
Palmer, R.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Sir G. B.
Peel, rt. hon. Sir R.
Peel, Col.
Peel, F.
Pelham, hon. D. A.
Perfect, R.
Peto, S. M.
Pigott, F.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, Dr.
Power, N.
Price, Sir R.
Pugh, D.
Rawdon, Col.
Reid, Col.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Robartes, T. J. A.
Roebuck, J. A.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Sandars, G.
Sandars, J.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.

Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, J. B.
Smythe, hon. G.
Somerville, rt.hn. Sir W.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Stuart, Lord D.
Stuart, Lord J.
Stuart, H.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thompson, G.
Thornely, T.
Towneley, J.
Townshend, Capt.
Trelawny, J. S.
Turner, G. J.
Tynte, Col. C. J. K.
Vane, Lord H.
Verney, Sir H.
Villiers, Visct.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.
Wall, C. B.
Walmsley, Sir J.
Walter, J.
Watkins, Col. L.
Wellesley, Lord C.
Westhead, J. P.
Willcox, B. M.
Williams, J.
Willyams, H.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, rt. hon. Sir C.
Wood, W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyld, J.
Wyvill, M.
Young, Sir J.

TELLERS.
Tufnell, H.
Hill, Lord M.

Main Question put and agreed to.

The House adjourned at Two o'clock till Monday next.

HOUSE OF LORDS,

Monday, February 4, 1850.

MINUTES.] *Took the Oaths.*—The Earl of Lanesborough.

PUBLIC BILLS. 1° Bankrupt Law Consolidation; Ecclesiastical Commission.

ANSWER TO THE ADDRESS.

The LORD CHAMBERLAIN (the Marquess of BREADALBANE) acquainted the House that Her Majesty had been pleased to return the following most gracious Answer to their Lordships' Address:—

"MY LORDS,

"I thank you for your loyal and dutiful Address.

"It is highly gratifying to Me to receive such an Assurance of your Feelings on the Loss which the Royal Family and the whole Nation have sustained by the Death of Her Majesty Queen Adelaide.

"It will be My Study to promote the Welfare of My People, and to watch over the important Interests confided to My Care."

On the Motion of the LORD CHANCELLOR, Her Majesty's most gracious Answer was ordered to be entered upon the Journals of the House.

AFFAIRS OF GREECE—BLOCKADE.

LORD STANLEY rose for the purpose of calling the attention of their Lordships to a matter which appeared to him of sufficient importance to warrant its being brought under their consideration for such explanations as Her Majesty's Government might be able to afford. When he took occasion the other night to comment upon the terms in which Her Majesty was advised to address Parliament in respect to her foreign relations, he certainly did not anticipate that within a period of four-and-twenty hours a very extraordinary light would be thrown upon the state of the peace and amity in which Her Majesty continued in her foreign relations. It was with considerable surprise, and with no less regret, that, either on Friday or Saturday morning, he found through the ordinary channels of information an event had occurred of no inconsiderable importance, in which, as it appeared to him, we had proceeded to acts of injustice and violence against a friendly foreign Power, or rather, he should say, a weak friendly foreign State, the very weakness of which State should have been the strongest inducement upon our part to exercise the greatest forbearance, whose peculiar position rendered any misunderstanding with regard to the affairs of Greece a matter of more importance than it might be from the importance of the State itself. If he were correctly informed, it appeared that the British squadron upon its return from what he could not but consider an ill-advised expedition to the Dardanelles—upon which he would not now say a word—landed upon the coast of Greece. Immediately upon the arrival of the fleet, the British Minister at Athens, Sir Thomas Wyse, called upon the Greek Minister of Foreign Affairs, accompanied by Admiral Parker, and in the presence of the Admiral informed him he was there for the purpose of requiring a categorical answer and assent to the demands which had been for some time subsisting on the part of certain British subjects, within the period of four-and-twenty hours. And if he (Lord Stanley) were not misinformed, the Minister was told that the British fleet was there for the purpose of enforcing submission. The demand was addressed to a Minister who had held the seals of office for only a very short period. It had reference not to great international questions, not even to the question which had occasioned so much discussion and difficulty, the repayment by

Greece of the loans she had received from this country, but to transactions which appeared to him of a very immaterial and insignificant character, involving claims of redress for personal injuries alleged to have been committed upon individuals claiming to be under the protection of the British sovereignty, some of which he believed had actually been settled, whilst others were in course of settlement, waiting for decision by the legal tribunals. At all events he hoped the details given of these facts in some of the newspapers would be found to have been grossly exaggerated. He hoped it was impossible that any British Minister could use such expressions as those in answer to an objection as to the injustice of the course pursued, that, "just or not, the demand must be complied with;" and in answer to a requisition for further delay, until time could be afforded to the Minister for communication with his colleagues, and informing himself more perfectly as to the details of the claims, the answer given was, as he understood, that there was no occasion for any delay whatever; that the instructions he (Sir T. Wyse) had received were absolute and positive, and that, unless the demands put forward were complied with in the short space of four-and-twenty hours, the British Minister would withdraw on board a British man-of-war, and that reprisals would be taken by the British squadron which were then lying in the waters of Greece for that purpose. But whether this was the mode of proceeding, whether such terms were used by the British Minister or not, he was afraid the fact was beyond doubt that the demand for immediate compliance was peremptorily pressed upon the Greek Minister by the British Minister, with an intimation that the British fleet was there to enforce the demand; that practically immediate compliance with the demand was not granted by the Greek Government, and, in consequence, the Piræus was, at this moment, in a state of blockade by the British squadron, with an intimation that Greek vessels, at all events vessels of war, would be seized as an act of reprisals and hostility. It was stated further, that, on this occasion, the mediation of two other Powers, whether appealed to or not by the Greek Government he could not say, had been offered and had been refused. The two Powers, he need hardly say, were Russia and France. Considering the peculiar position of affairs in Greece, he hardly knew whether English interests—those interests which arose out of friendly feelings between the inhabitants and Governments of the two countries, which it appeared to have been the great object to maintain—had been most seriously injured by the offered mediation on the part of Russia and France having been tendered and refused, or having been tendered and accepted. But he believed the fact to be, that that mediation had been tendered and refused by the British Minister, on the ground that his instructions being absolute and positive, left him no alternative. He had no wish to enter into further argument upon the question. He had stated the facts as they appeared in the newspapers of the day, and he was anxious to give Her Majesty's Ministers the earliest opportunity of disabusing the public mind of any erroneous impression produced by the information which had been received. He was, therefore, desirous of asking the noble Marquess, in the first place, whether Her Majesty's Government had received any information of the events to which he had referred, and what was the latest intelligence of which they were in possession? He supposed he need hardly ask the question if Sir Thomas Wyse and Admiral Parker had taken upon themselves to act upon their own discretion in a matter of this great importance? But he would put this further question, whether Her Majesty's Ministers were, in point of fact, at the time they informed Parliament that we were at peace and amity with all foreign nations, aware that orders had actually been sent out from this country, leaving no discretion either with the British Minister or with the Admiral, but to commit an act of hostility, if not upon a friendly, at least upon an inferior Power in point of military strength? He wished also to know whether Her Majesty's Government were prepared to lay before Parliament the instructions which they had given to the British Minister.

The **Marquess** of **LANSDOWNE** stated, that, substantially, the information on this subject communicated by the public press was correct. No information, however, respecting it had reached Her Majesty's Government at the time when the Speech from the Throne was under consideration. He certainly hoped that the present was only a temporary interruption of those relations of peace and amity which he trusted that the Government would continue to maintain with all the States of Europe. As to this proceeding, his noble Friend seemed not to be aware, that although it had assumed something of a hostile character from the share which Admiral Parker had taken in it, it was founded upon the previous proceedings of many years, and that recourse had not been had to it, until every other mode of proceeding had been exhausted. He admitted to his noble Friend that it had not been adopted for the purpose of procuring the repayment of the loan so long due from Greece to this country, but for the purpose of procuring redress of grievances founded on facts which were indisputable; and he could assure him that our claim for redress was declared to be well founded by the best and highest legal authorities to which it had been referred. Her Majesty's Ministers—having failed in procuring the redress to which this country was entitled—having been put off, time after time, by one evasion or another on the part of the Greek Government—having had promises made to them by that Government which were never fulfilled, or intended to be fulfilled—and having, at last, received a flat denial of that which, on behalf of British property and British subjects, they were entitled to ask—had certainly, in failure of every other measure which they tried, empowered their representative at Athens to solicit the presence of Admiral Parker in the waters of Greece under circumstances in no way derogatory to the Government of that country, had it been disposed to do of its own accord an act of justice. Admiral Parker was returning, as he would prove on another occasion, from no ill-advised expedition to the Dardanelles. On his arrival at Athens, he acted in the most respectful manner towards the Government of Greece. When he went on shore he tendered his respects to the King of Greece, and afterwards to his Minister; and it was not until the Greek Minister had tendered verbally a most unsatisfactory explanation respecting these claims to our Minister, and had afterwards, when he was told that he must give a written explanation next day, delivered, on that day, a denial of those claims, that Admiral Parker had recourse to the mildest course which could be adopted under such circumstances; for it was not true that he had instituted a blockade of the Piræus; he had only served a notice on a Greek vessel of war, then in that port, that it would not be allowed to leave that port until our demands were complied with. The information received by Her Majesty's Government only came down to that time. He fully agreed with his noble Friend opposite that no proceeding could be more unworthy of the Government of a great country than to exact from a weaker State that satisfaction which it would not require from a stronger. He ventured, however, to tell their Lordships, that when they had read the papers which he had promised, they would find that in every case in which the British Government had demanded compensation from the Government of Greece for acts of oppression committed under its authority, it would have been disgraceful to the British character to have failed to insist upon the reparation required. There was at present, he would repeat once more, no blockade instituted of the Piræus; but if it should be deemed necessary to institute a blockade hereafter, he would only say, that it was a proceeding which the Government with which his noble Friend had been connected had adopted, not in one, or two, or three, but in far more numerous instances, when similar demands upon independent States were enforced by blockades on its part. He (the Marquess of Lansdowne) would only just allude, in passing, to the offer of the French and Russian Ministers at Athens to mediate on this occasion between us and Greece. He would only state that they made that offer without any authority on the part of their respective Courts; that they did not even know whether their respective Courts would have supported them in that offer of mediation; and that it seemed to be only made for the purpose of creating inconvenient delay. Such offers of mediation have been often made to other countries, and refused by other Courts; and even one such offer of ours was refused by the French Government without any interruption of the relations of amity between us and France. He thought that our Minister at Athens had acted with great discretion and good sense in refusing the mediation so tendered to him. In conclusion, he stated that he had no objection to produce all the papers connected with this subject, as they would afford a complete justification of the course adopted by the British Government.

The EARL of ABERDEEN said, that his noble Friend (Lord Stanley) had very naturally called the attention of their Lordships to this extraordinary specimen of the peace and amity in which Her Majesty's Government was carrying on its relations with foreign Powers; and if his noble Friend had thought proper to extend his view all over the nations of Europe, instead of confining it to Greece, he would have found, with very few exceptions, in all of them, if not equally, striking proofs of our friendship; he would have seen that which had produced in return among them feelings towards us very different from those by which they were formerly animated. He admitted most readily that the Government of Greece was liable to great censure for the non-fulfilment of its engagements towards England and its other allies, particularly as regarded the non-payment of the interest on the loan formerly made to it, in one-third of which we were deeply interested. He had himself had occasion to make remonstrances of the strongest kind against that non-payment; indeed his remonstrances had been so strong that he should have thought that he had exceeded the bounds of propriety had he not seen that our demands had been subsequently followed up in a manner still more imperious and peremptory. But those demands were perfectly just. There could be no doubt as to the legality of the debt which the Greek Government had contracted towards us; and he firmly believed that, if its finances had been properly managed and carefully husbanded, that Government could have repaid the interest on the debt, and provided for the proper administration of the country confided to its charge. He believed, that about two years ago, Greece was threatened with violent proceedings like the present, owing to the non-payment of its debts. Fortunately, at that period a Swiss banker stepped in and defrayed from his own resources the debt due from the Greek Government. Our claim up to that time was then paid. It might not be very high-minded to have a debt due to a great country like our own thus extinguished; but at any rate the debt was just, and no Power whatsoever—neither France on the one hand, nor Russia on the other—had any right to object to the course which we pursued. So, too, the claims, which we were now making, might all be just; but he could not concur with the noble Marquess opposite in thinking that they were indisputable. They were, as it appeared, liable to examination and to legal discussion, to which there were always two parties. Ministers might think them just; but these claims were not of the same class with those which were founded on a treaty contracted and signed between the two Governments. He was not going to say that the refusal of the Greek Government to satisfy claims of this nature was not sufficient to call, under any circumstances, for the exercise of coercive measures; but the notification which, after refusing all offers of mediation, the British Government had made to that of Greece, that it would have recourse to such severe and peremptory measures against a State which it had itself created, whose independence it was pledged to maintain, and which at any rate it ought not to humiliate in the eyes of its own subjects, was, to say the least of it, a most extraordinary measure. That was a subject for other Governments to judge; and although other Powers would and might take such steps as their interests and the interests of their subjects required, they were nevertheless not necessarily called upon to take any part in this dispute; for it was a case entirely between Greece and this country. There was another point connected with this question, to which his noble Friend had not alluded, but which he thought of very great importance. We have demanded a cession of territory—that Greece should make to us the cession of two islands on the coast of the Morea. In that case Great Britain stood to Greece exactly in the same relation as France and Russia. Great Britain had guaranteed the integrity of the territory of the kingdom of Greece. So had France, and so had Russia; and, therefore, in asking the Ministers of the King of Greece to make a cession of part of his territories to Great Britain. Her Majesty's Government had done that which required an appeal to be made to those Powers before they could acquiesce in the course which Great Britain was pursuing. For his own part, he did not know—he had no idea of the grounds on which these two islands were claimed by us. He presumed some grounds must exist, but he was not aware of the nature of the right which we put forward. All he saw was this—that Greece was called on to surrender these two islands within twenty-four hours, upon terror of having the British fleet employed against against it. The noble Marquess had alleged that our claims were of long standing, that the Greek Government had long evaded them, that we had required a special answer to our demand, and that to that demand no answer had been given. Now, our claims might be true according to the opinion of Her Majesty's Government, but not only Greece, but also France and Russia, might entertain a very different opinion respecting them; and Greece might also think that she ought not to place these islands in our possession without the consent of France and Russia, as guaranteeing Powers. He was, therefore, at a loss to understand how, under such circumstances, we could have recourse to such an alternative as hostilities in case our complaints were not redressed within twenty-four hours. One of the islands which we claimed was in front of the port of Modon, within a short distance from the coast. The other was about seven miles from the little island of Cerigo, and within 200 or 300 yards of the mainland. He did not know whether it was inhabited or not; but if it was inhabited, it was very thinly. But the defective nature of our claim was this—that we could hardly make out any grounds for it, without the consent both of France and Russia. It was now exactly twenty years since the kingdom of Greece was first established as an independent State. On the 3rd of February, 1830, the independence of that kingdom was declared, and its limits were strictly defined. They were defined on a map, which was made an "annex" to the convention. That convention was signed by himself, as Minister for England; by the Duc de Laval, as Minister for France; and by the Count Lieven, as Minister of Russia. It defined, as he had before stated, the limits of the Greek State. The northern boundary of Greece was afterwards extended and advanced by the purchase of a portion of territory from the Turkish Government; but all the other boundaries remain unaltered. On referring to that map, he found that the line then drawn officially gave the island of Cervi to the new State of Greece. Consequently, we could not deny a fact which we had actually signed and constituted by our own hands. Besides, neither France nor Russia could agree to the cession of that island to us without an explanation from us showing that we were wrong in assenting to its original cession to Greece, as, according to our present claim, it belonged at the time, not to Turkey, but to the republic of the Ionian Islands. If we could show that, then the Governments of France and Russia could have no difficulty in assenting to this transfer of the island back to the Ionian republic. Making even this supposition, however, was it a sufficient justification for our threat of instituting a blockade within twenty-four hours? This argument applied only to one of the islands which we demanded, as the limitation of the kingdom of Greece was not carried further in that direction, for the object of the treaty was to separate Greece from the possessions of Turkey, and not from those of the Ionian republic. There were, therefore, no means for deciding positively to whom the island of Sapienza belonged. He could entertain no doubt whatsoever that if it had been the intention of the convention to define the limits of the kingdom of Greece in that direction, the island of Sapienza would have been included within their definition. Possibly he might be wrong—there might be grounds for asserting our claim to this island—but, if so, we were bound to show them distinctly both to Russia and to France. He did not mean to deny that it might be better for our Government to be in possession of Sapienza; but even wisdom ought only to be obtained by legitimate means. Ministers had been proceeding in a rash, precipitate, and unadvised manner, and had brought themselves into a serious position with two of the great Powers. They would have to come to an explanation with those Powers upon this question before they could escape from the difficulty into which they had recklessly plunged themselves. The noble Marquess opposite had told the House that no blockade had been declared by the British admiral. The French Minister announced, however, that a blockade had been instituted; at any rate, he considered that what we had been doing was equivalent to a blockade. Our operations, however, appeared at present to have had reference only to vessels of war; but let that be as it might, our measures were measures of extreme violence, and could not be persevered in for any time consistently with the continuance of amity and friendship between the two States. Now, although Ministers had conceived it expedient to take advantage of the presence of the fleet in the Mediterranean to make this demonstration against Greece, he considered it to be most unwise to enforce the demands of private individuals on the Government of that country in such a manner. To compel it, however, to make a cession of its territory for the same object, without any concert with the other parties to our guarantee of its integrity and independence, was, in his opinion, the most rash and unadvised policy which could be imagined.

The MARQUESS of LANSDOWNE said, that the observations which had fallen from the noble Earl who had just sat down, made it incumbent on him to add something to the speech which he had already made to their Lordships, for the noble Earl had adverted to a subject which his noble Friend (Lord Stanley) had purposely omitted, and on which he (the Marquess of Lansdowne) had therefore no occasion to say a word—he alluded to what the noble Earl had called our claim, or more properly speaking our right, to the cession of certain portions of territory. The noble Earl had dealt hardly with him on that subject, for he (the Marquess of Lansdowne) had limited his answer entirely to his noble Friend's question; and when he used the expression that our demands were indisputable, he merely meant to apply it to the demands to which his noble Friend had referred. The noble Earl had taken hold of the words in which he had replied to his noble Friend's observations, and had assumed that they were applicable to a question which his noble Friend had not raised, but which the noble Earl had. He begged to inform the noble Earl that our claim to these two islands formed no part of the claim which the British Minister and the British admiral were now enforcing, and that the whole of his (the Earl of Aberdeen's) observations fell, in consequence, to the ground. He admitted that that question must be the subject of further explanation. The noble Earl might have seen good reason to come to a conclusion upon it differing from that at which he had formerly arrived; and he might have discovered that Ministers were not justified in claiming this island of Sapienza—which he had introduced into the debate for the sake of making a joke upon it—although they were making it in pursuance of demands which had often been urged before their accession to office. The claims to these two islands stood upon a footing different from that on which we had made those claims that admitted of no delay, and required a categorical answer. The latter claims were as much beyond dispute as any ascertained fact could be. One of our claims was for the seizure of property which the Greek Government admitted to have been improperly taken from a British subject. If such demands for redress and compensation were not to be enforced by the British Government, he did not know what demands ought to be.

The Earl of ABERDEEN admitted that if Sir T. Wyse had not preferred his demand for the cession of these two islands in the peremptory manner which had been stated, the observations which he had made respecting that demand, had no application. But in the accounts which had been published of these transactions, it was stated that the demand for the cession of these two islands was made at the same time with the other demands, which were presented to the Greek Minister, when, with a pistol pointed to his head, he was called upon to surrender them within twenty-four hours. He had never said that the noble Marquess had represented the claim to these islands as indisputable; but he had asserted, and he again asserted, that the noble Marquess used such language respecting the other claims. As to the seizure of property which the noble Marquess had referred to, he recollected the case well. It was taken from a British subject to erect some building in the king's garden—the matter in dispute was the value of the land—not the land itself. It is likely the Greek Government estimated its value too low; and the proprietor, he had as little doubt, estimated it too high. All that was indisputable was that some compensation was necessary, but the amount of that compensation was questionable. The noble Marquess had insinuated that he (the Earl of Aberdeen) now entertained a different opinion as to our right to these islands from that which he entertained formerly. He (the Earl of Aberdeen) was not aware that he had ever expressed any opinion bearing a different construction to those he had just avowed. He had said that we might have claims to these islands, but he did not know what they were. He repeated that we had precluded ourselves from making a claim to these islands, by having already assigned them to Greece.

The Marquess of LANSDOWNE begged that he might not be misunderstood. He admitted that Sir T. Wyse had made a demand for these islands, but it was not included in the peremptory demand to which he had demanded a categorical answer. He did not know whether the noble Earl had himself preferred a claim to these islands, but he found that in 1843 the Lord High Commissioner of the Ionian Islands, acting, as he supposed, under the noble Earl's authority, had preferred a demand for them to the Government of Greece.

Lord BROUGHAM said, that although he knew that we had instituted a summary Court of Chancery in Ireland, he not aware that we had been about to establish a summary court of common law in the Mediterranean to try actions of ejectment in twenty-four hours by the process of presenting a pistol at the head of the tenant in possession. He should like to know the value—the money value—of the two islands in dispute. He had been told that one of those islands supported two or three goats, and the other a few hares. He did not suppose that together they were worth the powder which would be spent in the blockade, but still it was desirable to know their money value. He agreed with the noble Marquess that nothing was more to be deprecated, and nothing was more to be eschewed by a great country like our own, than a system acting more vigorously and peremptorily, or of proceeding more actively, energetically, and vindictively against a weak Power, than against a strong one. It was revolting to the feelings of Englishmen to see any such course pursued. *Parcere subjectis et debellare superbos*, might, on the whole, be wrong; but the first part of the maxim was unobjectionable. He should, therefore, like to know whether the threat held over the head of the Minister of Greece was accompanied with an intimation that the payment of the debts due to individual subjects of Great Britain, was one of the terms to which an instantaneous compliance must be given. A Government ought to draw a line between the claims to compensation which it advanced for injuries done to the property, and for those done to the persons, of its subjects. In the latter case you were bound to give protection to individuals, and to demand reparation and compensation for any oppression or outrage to which they were exposed; but in respect to debts, he should be loth to interfere—he would leave the party to his remedy at law, and it would only be in extreme cases that he would invoke the vengeance of the country; for if you acted otherwise, what would become of you in the case of the Spanish bondholders or the American repudiators? To the influence and weight of the Government exercised in his favour, the subject, in all such cases, would have a claim; but it would be monstrous to have recourse to hostilities to recover for him his private debts. Such a system would lead to continual infractions of the peace, and to perpetual interruptions of our amicable relations with neighbouring nations.

Lord STANLEY: Before my noble Friend proceeds to his answer, will he allow me to ask him to assign some limited time within which these papers are to be produced? I did not understand my noble Friend to say, whether the proceedings of our Minister at Athens were authorised by his instructions from home, or whether those instructions would form part of the papers which he intended to lay upon the table?

The Marquess of LANSDOWNE, in reply, said that the papers to be laid before the House would afford a complete view of the whole case, and would give every information necessary to understand it. He informed the House, that our Minister at Athens had undoubtedly acted under instructions, general instructions, from home. He perfectly acquiesced in the line of distinction which his noble and learned Friend had drawn between cases of outrage committed on the persons of British subjects by foreign Powers, and cases of mere debt due to them by the same parties; and when he saw the papers, his noble and learned Friend would have the satisfaction of finding that that line had been strictly observed on the present occasion.

Subject at an end.

BUENOS AYRES.

The Earl of HARROWBY asked the noble Marquess whether he had any intention of laying on the table the treaty said to have been recently concluded with the Government of Buenos Ayres?

The Marquess of LANSDOWNE admitted that such a treaty had been concluded, and was understood to say that he should have no objection to produce it.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, February 4, 1850.

Public Bills. 1° Edinburgh Slaughterhouses Removal; Highways (District Surveyors); Embankment and Reclamation (Ireland).

NEW HOUSES OF PARLIAMENT.

Mr. EWART wished to ask the hon. Member for Lancaster what was the present state of the new House of Commons, and when that House was likely to be ready for the reception of Members?

Mr. T. GREENE said, in reply to the first question, it was not very easy to define exactly the progress that had been made with the new House; but he supposed the principal object of the hon. Gentleman was to ascertain whether it could be completed during the present Session for the occupation of Members. He (Mr. Greene) had no hesitation in saying that it would be perfectly possible to finish the chamber in which that House was to sit, so far as to render it fit for the reception of Members during the present Session; but he apprehended that it would be utterly impossible for Members to use the new House with convenience or comfort to themselves until the refreshment-rooms, the library, and other apartments were completed. He had yesterday written to Mr. Barry, to ascertain from that gentleman when he conceived it possible that the House would be ready; and in reply Mr. Barry said, speaking of the refreshment-rooms, and other apartments necessary for the convenience of Members—" These portions of the building are now so far advanced towards completion that, if a sufficient vote is taken shortly, the whole will be got ready for use by the commencement of the next Session of Parliament."

AFFAIRS OF GREECE—BLOCKADE.

Mr. MILNER GIBSON observed that considerable uneasiness had been caused among the persons engaged in the Greek trade, in consequence of reports which had appeared in the newspapers, as to the position of Admiral Sir William Parker on the coast of Greece. He wished to ask the noble Lord the Secretary of State for Foreign Affairs, if he could give the House any information upon the subject?

Viscount PALMERSTON said, that for a considerable time past negotiations had been carried on with the Greek Government on the subject of compensation claimed by certain British subjects, as well as by inhabitants of the Ionian Islands, for wrongs inflicted upon them in Greece. Instructions had been given to Sir W. Parker that on his return from the Dardanelles he should proceed to Athens, and place himself in communication with Mr. Wyse, the British Minister at that Court, in order to support these demands. By the last accounts it appeared that a correspondence had been carried on between Mr. Wyse on the one part, and the Greek Minister on the other. Up to that time the result had not been satisfactory, but then the account left off. I may add that Mr. Wyse had gone on board the fleet, in order that he might be in a more proper position to act in concert with Sir William Parker, in enforcing the demands. I shall have no objection to lay before the House any papers connected with the subject which my right hon. Friend or any other hon. Member may please to move for.

RAILWAY AUDIT.

Mr. STANFORD begged to ask the right hon. Gentleman the President of the Board of Trade, whether there was any intention on the part of Government to introduce a Bill for the audit of railway accounts this Session?

Mr. LABOUCHERE said, that another hon. Member had given him notice of asking a similar question to-morrow, but he had no objection to give an answer at once. The House would recollect that when he had expressed an opinion as to the necessity of such a measure last Session, certain hon. Gentlemen, who were directors of railway companies, deprecated any intervention in the audit of railway accounts by the Government, but at the same time they undertook to consider the course that they might think necessary to pursue during the recess. He had stated at the time that it was extremely desirable an efficient system of audit should emanate from that body rather than from the Government, but that he should not consider the Government precluded from doing what they thought necessary on the subject hereafter, should the directors fail in agreeing to an efficient measure among themselves. Until very recently he had been in hopes that a Bill would be brought forward on the part of the railway directors on this subject, though he had had no source of information on the question except the usual channels open to the public; but he believed it was now generally known that the directors had failed in bringing the matter to that form in which it could be brought before the House. At the same time he believed that a considerable body of shareholders were desirous to bring an Audit Bill before the House. He begged again to say, what he had stated last Session, that he thought it extremely desirable a measure should be brought forward by the proprietors of railway companies, if possible, and that it should be submitted without delay to the House. It was desirable that they should be put in possession of the views of the shareholders themselves, before any proceeding was taken; and if a Bill were introduced by them, he should be ready to give it the best consideration in his power; but, in the meantime, if no Bill were brought in by those connected with railways, he would not hold himself precluded from taking up the question.

THE ADDRESS—AFFAIRS OF GREECE.

MR. VILLIERS brought up the Report on the Address, which was read a first time.

On the Question that the Report be read a Second Time,

MR. DISRAELI said, the question that had been asked a few minutes ago by the right hon. Member for Manchester, and the answer that had been given by the Secretary of State, reminded him that the assertion in the Speech from the Throne, that Her Majesty was in peace and amity with all foreign Powers, was at least premature. It appeared to him that that statement was one which ought not, under any circumstances, to have passed unnoticed by that House. This was the second year in which a very significant alteration had taken place in the terms in which the Sovereign had communicated to the representatives of the people the relations which subsisted between this country and foreign Powers. The language of the Royal Speech in 1845—language which he believed had been used on all recent occasions with the exception of last year—was that—

> "Her Majesty continues to receive from all foreign Powers and States assurances of their friendly disposition."

Now last year there was a singular omission, or alteration, in the Speech from the Throne; and they were not assured, as they had been previously, that Her Majesty received from foreign Powers the assurance of their friendly disposition. But the language of the Speech this year was still more meagre and suspicious than that of last year, for to inform Parliament that—

> "Her Majesty happily continues in peace and amity with foreign Powers,"

was merely to inform them that Her Majesty was not at war. Although, to a certain extent, that was a satisfactory announcement, it was not an announcement so complete that the commercial classes of this country could be assured that there was not a prospect of the continuance of those blockades for the establishment of which the present Administration had been remarkable. He would have taken the opportunity of calling the attention of the House to this subject the other night, but for the anxiety which existed on both sides to come to a decision upon the Amendment; and if he had then introduced the question, it might have tended to retard the debate. He might probably have passed the subject unnoticed on the report, had it not been for that remarkable circumstance which had been referred to, and which, he thought he might say without exaggeration, had occasioned a very considerable sensation in this country. He would, therefore, take the opportunity of adverting very briefly to one or two other subjects connected with the foreign policy of the Government, upon which, after what had occurred, he thought they might reasonably expect some information from the Secretary of State. As the Speech stated that Her Majesty continued in peace and amity with foreign Powers, the noble Lord might perhaps find it convenient to inform the House whether Her Majesty's representative had yet been received at the Court of Madrid, and also whether there was any prospect of the Court of Vienna sending an ambassador to the Court of St. James's? The noble Lord might also find it convenient to offer to the House some explanation with regard to certain passages of the Royal Speech which appeared to him (Mr. Disraeli) of a very ambiguous character. The Speech informed them that—

> "In the course of the autumn differences of a serious character arose between the Governments of Austria and Russia on the one hand, and the Sublime Porte on the other, in regard to the treatment of a considerable number of persons who, after the termination of the civil war in Hungary, had taken refuge in the Turkish territory. Explanations which took place between the Turkish and Imperial Governments have fortunately removed any danger to the peace of Europe which might have arisen out of these differences."

That seemed to him to be a complete statement; but a subsequent paragraph, which appeared to be introduced without any coherent or logical consequence, informed them that—

> "Her Majesty, having been appealed to on this occasion by the Sultan, united Her efforts with those of the Government of France, to which a similar appeal had been made, in order to assist, by the employment of Her good offices, in effecting an amicable settlement of those differences in a manner consistent with the dignity and independence of the Porte."

Perhaps the noble Lord would inform them how it was that after the explanations had taken place between the Turkish and Imperial Governments, which removed danger, and were so completely satisfactory, the mediation of England and France was asked to effect that which had been already accomplished. The only way in which he could account for this obscurity was by supposing that in the hurry of the printer the paragraphs might have been transposed. If the three paragraphs had been thus arranged, first, as to the statement of the difference; secondly, as to the mediation of England and France; and, thirdly, with reference to the fortunate termination of the negotiations, they would have been perfectly intelligible to the House and to the country, and would have been quite satisfactory. But why England and France should have interfered, when according to the Speech there was nothing to interfere about, when an amicable arrangement had already taken place between the Sublime Porte and the two Imperial Powers, was a matter, he confessed, beyond his comprehension, and one which he thought fairly required some elucidation from the Secretary of State. There was also another point on which he thought the noble Lord might perhaps find it convenient to give some information to the House. The Chancellor of the Exchequer had congratulated the House the other night on the revival of commerce which had been occasioned by the termination of the blockade in the north of Europe. The House, no doubt, well recollected the circumstances which led to that blockade. It was now about two years since he (Mr. Disraeli) called attention to those circumstances, anticipating that a blockade—which afterwards occurred—would take place. The noble Lord, on that occasion, although he recognised the importance of the circumstances, gave the House those sanguine and satisfactory assurances in which he dealt so liberally, that no inconvenience would result to the commercial interests of this country. Nevertheless, in due time a blockade did occur in the Baltic, which was found at the time extremely vexatious to British commerce. Now, he would like to know from the noble Lord whether the Danish question had yet been settled? Three or four times since he (Mr. Disraeli) first brought the subject under the consideration of the House, he had recalled it to the recollection of the Government, and on every occasion the House had received from the noble Lord the most satisfactory assurances that, though the question was not settled, it would probably be settled in the course of the next week or ten days. Two years had now elapsed; the blockade had certainly not been revived; but, as far as he could judge from the circumstances open to all Members of that House, there was no reason why a blockade in the north of Europe might not again be established, because the settlement the noble Lord had assured the House would take place, and which it was understood was to be brought about by the mediation of the noble Lord, had not been effected. Instead of hearing of the satisfactory settlement of this question, they learned to-day with the greatest surprise that our free-trade Government—which had occasioned so many blockades that they had gained a peculiar character for such measures—had established another blockade, which must be extremely vexatious to the commerce of this country. He hoped the noble Lord would take the present opportunity of giving the House some details upon these points. He hoped the noble Lord would assure them that the relations of this country with Spain and Austria were such as might be expressed in the language which had been customarily used by the Sovereign in communicating with Parliament—that the most friendly dispositions subsisted between Her Majesty and those Courts. He trusted that the noble Lord would throw some light upon those ambiguous paragraphs in the Speech which referred to the transactions in the Levant with reference to the Sublime Porte; that he would also assure the House that there was a prospect of an immediate settlement of the question between Denmark and Schleswig-Holstein; and that, without waiting for papers, he would give them a more popular and satisfactory account of our relations with Greece. He (Mr. Disraeli) would like to know what had been the immediate cause of this unhappy misunderstanding, because there had to-day appeared what professed to be a semi-official account of the transaction, and the great offence on the part of the Court of Athens appeared to be, that they had deprived a British subject of some land which he had purchased in Greece. In ordinary times, no doubt, that would be a sufficient cause for the interference of the Government of this country in vindication of the rights of one of its subjects; but they were now living in days when British subjects were deprived of their interest in the land, without any sympathy being expressed for them even in the Speech from the Throne. It appeared to him, therefore, hardly a sufficient cause that, because the interest a British subject had in the land might have been compromised by the conduct of the Greek Government, Her Majesty's Ministers should send a squadron of three-deckers and steam-ships to vindicate his rights. The measure, however, showed a sympathy with the territorial interest, which he (Mr. Disraeli) was very glad to see entertained by any Member of the Government.

Mr. ROEBUCK said, that before the noble Lord answered the questions put by the hon. Member for Buckinghamshire, he (Mr. Roebuck) wished to add a complement to those questions. As he understood the matter, there were certain long outstanding claims made by persons either in the character of British subjects, or who actually were British subjects, which had not been satisfied by the Greek Government. But there was also, as he understood, another claim of a much more important character—namely, with respect to certain islands to which the Government of England laid claim, and which claim had not been satisfied by the Government of Greece. The question, therefore, really became one of national importance. He believed that the Governments of France and Russia were parties to the guarantee of the integrity of the monarchy of Greece, and, therefore, any claim on the part of England to any portion of the territory of Greece, was a matter in which France and Russia had a right to interfere; and every step taken by England with regard to the monarchy of Greece, must have been taken with the full understanding on the part of our Minister for Foreign Affairs that he was running the risk of calling in the intervention—perhaps the hostile intervention—of the Governments of France and Russia. Passing over, then, the case of the Portuguese Jew, and the outstanding claims so many years old, the question became one of national importance—of importance to the whole world. Had we sent a fleet to the Piræus for the purpose of enforcing the claims which he had mentioned, before there was an understanding with the Governments of France and Russia—sent a fleet in a hostile shape, with an intention to resist the Governments of France and Russia if they attempted to interfere? Passing from this to another question of the hon. Gentleman opposite, with respect to Spain, he (Mr. Roebuck) hoped the noble Lord would be able to tell the House that there was not the slightest chance of any arrangement with Spain. We had gone on so admirably while we had no arrangement with Spain, and we went on so exceedingly ill while we had anybody there, that he thought the most enviable condition in which we could possibly be, in regard to the Court of Spain, was when we had no representative there. The thing that would give him most pain would be to see Spain sending a representative here, and an ambassador sent hence to Spain. He was very much inclined to believe that from this singular case we might arrive at a general proposition, and that the sooner we reduced our diplomatic establishments and expenditure, the better. He hoped Gentlemen opposite, who were casting about in every possible way to cut down the expenditure, would direct their attention to this matter. They said they were about to be most vigilant and ardent economical reformers, and he trusted their aid would not be lacking when the proper period came for cutting down what appeared to be an unnecessary expenditure.

Mr. C. ANSTEY, following the example of the hon. and learned Member for Sheffield, wished also to call the noble Lord's attention to another point. In reference to the passage in the speech of the Lords Commissioners relative to the settlement of the differences that had arisen between Austria and Russia and the Porte, the Secretary for Foreign Affairs might be congratulated on the noble position his Government occupied in the solution of those differences, though he (Mr. Anstey) could have wished our interference had been better timed, and had secured the total emancipation of the Sultan from the evil influence which we, in concert with France, had enabled Russia so long to exercise over him. But the subject to which he rose to call the noble Lord's attention, was that of the state of affairs in the principalities of Moldavia and Wallachia. In the capacity of mediator between the Porte and Russia last year, Sir Stratford Canning, our Ambassador, was enabled to bring about an accommodation—which he (Mr. Anstey), for one, regretted, being more willing that the question should have been decided in another manner—an accommodation in virtue of which Russia, undertaking to withdraw her troops beyond a certain number (limited, he believed, to 10,000), was to be allowed to occupy those principalities to that extent only down to the end of last year. Now, it was asserted, and most authentic evidence had been laid before him to enable him to judge of the probability of the assertion, that not a single Russian soldier had been withdrawn—that the number of troops occupying these principalities at the date of the accommodation in question had been very materially increased—and that the Turkish Government had not ceased to arm its population and to strengthen itself on that frontier, in the anticipation, amounting almost to an absolute certainty, that when the approach of spring should open the passes of the Balken, that question, if not that of the extradition of the Hungarian refugees, would be reopened and become a pretext for an aggressive war. His question, then, was this—were our Ministers in possession of such satisfactory information on the subject of this occupation of the pricipalities of the Danube, as should justify them in calling upon the House not to append to their congratulation of Her Majesty in the reference to Russia, the expression of a hope that Her Majesty, having regard to the perfidy of that Power, as evinced in past transactions, and to the alarming attitude it continued to present on the side of the Danube, would, in entering into new treaties, or in maintaining correspondence with Russia, with regard to subsisting treaties, take care to exact real security for their performance.

VISCOUNT PALMERSTON: Sir, adverting, in the first instance, to the questions put by the hon. Gentleman opposite the Member for Buckinghamshire, and referred to by my hon. and learned Friend the Member for Sheffield, relating to Greece (though not put first in order), I would state — giving that explanation which the hon. Member desires—that the grievances for which redress has been asked have been chiefly these:—In the first place, there is a Mr. Finlay, who has been long established in Greece, and who had lands there, part of which was taken forcibly from him several years ago for the purpose of forming a portion of the gardens of the palace which King Otho was building. Mr. Finlay has been, for a long course of time, supported by Her Majesty's representatives, endeavouring to obtain proper payment for the land so taken. That payment, however, has never been got. That is one of the wrongs for which redress has been demanded. The other case is that of a Gibraltar subject—not a Portuguese Jew, as stated by my hon. and learned Friend—of the name of Pacifico. His house, in Athens, was violently broken into at mid-day by a mob, of which part were soldiers, in the service of the King of Greece, some gendarmes; the son of the Minister of War heading and encouraging them. The demands for redress in respect of this have not yet been attended with success. There were, besides, Ionian subjects, who, upon different occasions, were victims either of plunder or of bodily ill-usage, for whom also compensation has been required. The other question about the possession of the two islands stands thus:—By the treaty between Russia and the Porte, signed in 1800, the Ionian State was constituted with the consent of the Sultan, and that State was to consist of certain islands therein named, and of all other islands and islets lying between those islands and the coast of Greece, up to a certain point. In pursuance of that treaty, the two islands in question, Elaphonisi and Sapienza—two very small islands, though, from circumstances, one of them is of importance—were by a decree of the Ionian Government in 1804, by name aggregated to two of the larger islands named in the treaty; and those islands have ever since been considered by the Porte, and have been considered by the Sovereign of Greece, as part of the Ionian States. When the protocol of February 1830 was signed, by which the Greek State was constituted, the territories of that State were specified as consisting of certain portions of the Continent, and of certain islands; those islands did not include the islands of Elaphonisi and Sapienza. There can, therefore, be no doubt whatever that those islands have been, ever since the treaty of 1800, confirmed by the treaty of 1815, portions of the Ionian States. With regard to our relations with Spain, which the hon. Gentleman opposite wishes to see renewed, but which my hon. and learned Friend wishes to remain suspended, I am not enabled to state that diplomatic relations have been renewed. Communications, not official, have taken place. After the discouragement the hon. Gentleman has given me with regard to anticipations of the future, I will confine myself at present to stating simply what is—not informing him what I may hope or not hope as to the future; that undoubtedly, up to the present moment, no arrangement has been made by which the diplomatic relations between the two countries have been renewed. With regard to our relations with Austria, those relations—I mean diplomatic relations—are such as are well known. The Austrian Government has not, at the present moment, a Minister at this Court, the Minister who was here having, for private and personal reasons, retired from that position; but, as an indication that the feelings of Her Majesty's

Government towards the Court of Austria are of the most friendly nature, we have continued our Ambassador at the Court of Vienna, though, for the moment, there is no such representative of Austria appointed to the Court of St. James's. Of course, if that arrangement should become permanent, and the Austrian Government should continue to have here only a functionary of a lower rank than that of ambassador, it could not be expected that Her Majesty's Government should continue the appointment of an officer of that rank at the Court of Vienna. It is well known that differences of opinion have existed for the last few years between the Government of this country and the Government of Austria upon matters of great importance to Austria; those differences of opinion must often exist between Governments taking respectively their own view of affairs, but they have not led to any cessation of friendly relations between the two Courts. No person can be more sensible than Her Majesty's Government are of the importance to Europe that the two Governments should be upon friendly and intimate terms. We are sensible of the great importance of Austria as an element in the general balance of power in Europe; and we see with great pleasure any progress which the Government of Austria may make towards a friendly reconstruction of those elements which for a time were placed in jarring collision. With regard to Denmark, my memory is not so good as that of the hon. Member for Buckinghamshire; I do not recollect ever having assured this House that in the course of a week or ten days from the time when I was speaking the question would be settled. I may have stated, that certain preliminary arrangements—that an armistice, for instance, would be concluded; but I never so far shut my eyes to the difficulty of the questions involved, as to hold out to the House that in a week or ten days the whole of them were likely to be settled. The House will remember, that in the course of last summer a preliminary treaty was signed, and an armistice concluded. The hon. Member treats the Danish blockade as if it was our blockade. It was established by Denmark very much against our inclinations. The hon. Member, in dealing with the question, seems to consider the British Government as invested with some great power of settling these questions according to its desire, and within the period it may wish. [Mr. DISRAELI: You can interfere under the treaty.] Yes; but how are you to adjudicate upon points on which the parties may happen to differ? Those who have attended to this Danish question must know that it is, of all questions perhaps that ever arose in Europe of equal intrinsic importance, one of the most complicated, with regard to the number of parties interested in it, and the number of interests involved in it. You have the Danish nation, the duchies of Schleswig and Holstein, each having its particular feeling; you have Germany, taking it up as a German question; you have the Prussian Government dealing with it; you have the Governments of Russia, of Sweden, of France, feeling it a matter in which they are more or less interested, although they may not join in the negotiation in the same manner as England. Therefore it is a question with regard to the settlement of which more separate feelings and wills must be brought into unanimity than perhaps in any question of equal importance ever submitted to the skill of negotiators. I cannot pretend to say, that hitherto there has been much progress, during the recess, in regard to the final settlement of this question. It is well known, that for a considerable time the central power in Germany was in a state of abeyance; it has only been recently reconstructed. Prussia had been the primary negotiator on behalf of Germany, not as Prussia, but as appointed by the central power in Germany. It was necessary that Prussia should be reauthorised by the new central Power; and that has been done, and the negotiation has been renewed. I should hope, from the assurances of a friendly nature which are given to Her Majesty's Government—even though those assurances have not been mentioned in Her Majesty's Speech—I should judge, from the tone of the parties concerned, that they are entering into that negotiation with a real and sincere desire to bring it to a friendly conclusion. I assure the House that no effort will be spared on the part of Her Majesty's Government to induce the parties to come to a final settlement. But there are grave questions to be determined. There is one relating to the succession to the Danish Crown; another, what should be the constitution of the duchy of Schleswig in relation to the other part of what we call the Danish monarchy. These are points involving national feelings and considerations; and however much we may wish to see them settled, and in a short time, yet when so many different parties are concerned, we must not expect that matters of that kind can be arranged so quickly as we should wish; and more especially considering that Her Majesty's Government is only acting as mediator, and that we have no power to exercise authority in regard to these questions. Now, with regard to the differences between Turkey and the Imperial Governments, the hon. Member for Buckinghamshire complains that the second paragraph relating to that subject in the Queen's Speech, states that explanations had been entered into; and a third paragraph comes afterwards announcing the employment of the good offices of Her Majesty's Government. It was impossible to put the two paragraphs side by side together; but it is not the less true that the good offices of Her Majesty's Government did accompany the explanations between the two parties concerned, and I think we may fairly assume that the exercise of those good offices, in concert with those of the Government of France, did materially contribute to render successful those explanations which took place between the parties concerned. The hon. and learned Member for Youghall wishes to know whether it is likely that the Russian Government will fulfil the engagements in regard to the principalities of Wallachia and Moldavia which it entered into with the Porte in the course of last year. It is quite true, I believe, as he has stated, that at the present moment the Russian force in the principalities considerably exceeds the number stipulated by the arrangement of Balta-Liman concluded last year; but one must make some allowances for the various and difficult circumstances which have arisen since; and it is not fair to infer from the fact that that force has not yet been reduced to the stipulated amount that it will not be so reduced at an early period. I can assure the hon. and learned Member that I have no apprehension of that attack on Turkey which he seems to think intended by the Russian Government. I am persuaded — and my persuasion is founded on assurances given by the Russian Government—that that Government entertains none but friendly feelings towards the Turkish empire; and that as soon as local circumstances will permit, the Russian force now occupying the principalities will be reduced to the number stipulated by the arrangement of Balta-Liman. That number, as he stated, is to be 10,000 on behalf of each of the parties; the Turkish force has been reduced, I believe, to the number of 10,000, and I feel perfectly convinced that the Russian force will be reduced to the like number so soon as the season admits of the removal of troops. I will just add, with regard to blockades, that I am not aware that we have instituted a great number since we have come into office; the Government which preceded us instituted several during its existence. I remember three, at least, on the coast of South America. I must beg to disclaim any responsibility for the blockade established by Denmark. It was exceedingly injurious to the commercial interests of this country, and I assure the House that no effort shall be wanting on the part of Her Majesty's Government to persuade the parties to come to some final and satisfactory arrangement, which shall put out of question any renewal, either by land or by sea, of hostilities between the Danes and the Germans. They have the strongest inducements to be on the best terms with each other. If the Germans have an interest in regard to Denmark, it is that Denmark should be maintained as a separate and independent State; and if the Danes have an interest in regard to Germany, it is that the intercourse between Denmark and Germany should be as free as possible.

Sir R. H. INGLIS said, the noble Viscount had most successfully avoided the slightest reference to that question which, without disparagement to the others, he ventured to assert was by far the most important, namely, whether in that crisis of affairs now existing in Greece, the officers under the authority of Her Majesty's Government had or had not acted with the concurrence of France and Russia; the whole danger of the crisis (saying nothing of the credit or discredit of attacking a weak State, even in a just cause) being that of provoking a European war, if Her Majesty's servants had acted without that concurrence. The noble Lord had carefully evaded the point, satisfactory as his speech was on some others. He (Sir R. H. Inglis) trusted that he would state that whatever measures had been taken on the part of England had been taken, first, in accordance with existing treaties; and, secondly, with the concurrence of her allies in the treaties relating to Greece, namely, the Governments of France and Russia. Another question also he wished to ask was this. Whether M. Pacifico, whose wrongs were, he was sorry to say, in danger of being redressed at such risk to the peace of Europe, were or were not a British subject? And, lastly, whether Mr. Finlay were or were not a British subject? Because, he apprehended, no one would contend that England was bound to redress the wrongs of any and every man who chose to call for her protection in any part of the world. He regretted the loss of the services in Greece of a gentleman who was second but to one as a diplomatist—he meant Sir E. Lyons. And he regretted that a Minister of such special experience in the relations between Greece and England should have been displaced by one, who, whatever were his other merits, had no diplomatic experience in Greece or in any other country. He did not assert or insinuate that it was in consequence of this change; but it was a fact unanswerable, that, subsequently to the removal of Sir Edmund Lyons, and within a few months after the arrival of the present Minister, the actual danger had occurred; no such danger having arisen in the long period during which Sir E. Lyons had represented the name of England. He alleged nothing against the discretion of his successor; but the present state of things justified an additional regret that the affairs of this country, in Greece, were no longer conducted by the eminent diplomatist whom he had named. He awaited the reply of the noble Lord to the important question originally put to him by the hon. and learned Member for Sheffield.

Viscount PALMERSTON: Sir, proceedings of this kind, which are directed to obtain from the subjects of one country compensation for injuries sustained by them, are carried on by the agents of that country, and it is not usual to make any appeal to the agents of any other Power. With regard to the hon. Baronet's allusion to Sir T. Wyse, I should say that those questions arose during the period when Sir E. Lyons was in Greece; they were pressed and urged by him without avail, and had been pressed and urged by Sir T. Wyse without avail. It is only in consequence of our experience that no efforts of either have obtained redress, that the interference of the Admiral Parker took place. With respect to the other question, the parties are both British subjects.

THE ADDRESS—PROTECTION.

Mr. PACKE said, that the hon. Member for the West Riding had challenged the protectionists to rise and defend protection on its merits. Now he was not going to produce any fire-works of rhetoric in support of his opinions, but he would undertake to show the House by facts and figures that the agricultural producers of the country were being ruined by free trade. He advanced this position boldly—namely, that the farmers and labourers of the kingdom must be irretrievably ruined by a persistance in the policy of free trade. All the hon. Gentleman's experience of agriculture was derived from his recent acquisition of a farm which consisted of two plots, one of twenty-one acres, occupied by a miller, the other of thirty-two acres, occupied by a shopkeeper, neither of whom were dependent for subsistence upon farming. He would ask the House whether such examples were sufficient to warrant the hon. Member for the West Riding of Yorkshire in bringing them forward as proofs of the success with which agriculture could be followed under the reduced prices occasioned by free trade? Now he (Mr. Packe) as a tenant-farmer, would give the results of his experience on a farm of 100 acres, which he held near Loughborough, and with the permission of the House he would read a statement of the comparative expenditure and receipts of that farm under protection and under free trade;* but before doing that he would call the attention of the House to a matter connected with that part of the Speech relating to the sanitary condition of the people; and here he must leave it to the House to determine with what degree of justice it was expected that the land should not only provide the poor with cheap food, but bear the charges of drainage and of making the air wholesome for the people. The Sanitary Commissioners had sent a letter to Loughborough directing that it should be drained; and he begged to assure the House that no one could be more desirous than himself of doing everything that could be required for the health of the people, and by the blessing of God to avert the return of the pestilence of last year; but he could not see why the expense of doing so should fall exclusively upon the land. In the present instance, however, as his farm was in that parish, he would have to pay 6*s.* 6*d.* an acre for that purpose.

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* See Table in following page.

COMPARATIVE EXPENDITURE AND RECEIPTS OF A FARM.

Occupation of 100 Acres in the Parish of Loughborough, divided into Five Parts of 20 Acres each, cropped by a Four-course System successively of Seeds, Wheat, Turnips, and Barley, the Fifth Part being Pasture:—

Expenses of Entry and Stocking, being Capital invested on the Farm.

	£	s.	d.
Tenant-right to outgoing tenant	£174	17	9
Horses, waggons, implements of husbandry, &c.	300	0	0
Store beasts, sheep, and pigs to stock the farm, and first year's oil-cake	484	0	0
Seed, barley, and labour of ploughing and sowing it on entering	33	10	9
For first year's improvement of farm, being 20 per cent on rent	44	0	0
Poultry and sundries	5	11	6
	£1042	0	0

EXPENDITURE.

Prices under Protection.	£	s.	d.	Prices under Free Imports, allowing for a Fall of Two-sevenths.	£	s.	d.
Rent at 44*s.* per acre; local burdens 92*l.* 10*s.*	312	10	0	Abatement of rent, 28 per cent; local burdens, 92*l.* 10*s.*	250	10	0
Seed—5 quarters wheat, at 56*s.* 14*l.*; 5 quarters barley, at 35*s.* 8*l.* 15*s.*; turnip and grass seeds, 5*l.* 5*s.*	28	0	0	Wheat, at 2*l.*, 10*l.*; barley, at 1*l.* 5*s.*, 6*l.* 5*s.*; turnip and grass seeds, 3*l.* 15*s.*	20	0	0
16 store beasts, at 11*l.* 4*s.*	179	4	0	At 8*l.*	128	0	0
130 store sheep, at 1*l.* 8*s.*	182	0	0	At 1*l.*	130	0	0
10 pigs, at 1*l.* 1*s*	10	10	0	At 15*s.*	7	10	0
Oil-cake and other cattle food	45	10	0		32	10	0
Labour, at 11*s.* a week	175	0	0	At 8*s.* a week	125	0	0
Blacksmith, carpenter, bricklayer, collar-maker, &c.	10	10	0		7	10	0
Manure	28	0	0		20	0	0
Keep of four horses	105	0	0		75	0	0
Depreciation fund for keeping up horses and dead stock, 10 per cent on 300*l.* laid out on entry	30	0	0	8 per cent	24	0	0
Tenant's income-tax	3	4	2	Tenant's income-tax	2	6	1
Insurance	1	10	0	Insurance	1	2	0
For improvement of farm, being 20 per cent on rent	44	0	0		35	4	0
				For depreciation of fat stock by disease first introduced into this country by importation:—On 510*l.* for beasts, sheep, and pigs, 10 per cent	51	0	0
	£1,154	18	2		£909	12	1

INCOME.

Under Protection.	£	s.	d.	Under Free Imports, allowing for a Fall of Two-sevenths.	£	s.	d.
20 acres wheat, 5 qrs. an acre, at 56*s.*	280	0	0	Ditto, at 2*l.*	200	0	0
20 acres barley, 7 qrs. an acre, at 35*s.*	245	0	0	Ditto, at 1*l.* 5*s.*	175	0	0
16 fat beasts at 21*l.*	336	0	0	Ditto, at 15*l.*	240	0	0
170 sheep, at 2*l.* 2*s.*	357	0	0	Ditto, at 1*l.* 10*s.*	255	0	0
10 pigs, at 2*l.* 2*s.*	21	0	0	Ditto, at 1*l.* 10*s.*	15	0	0
Wool from 60 sheep kept in summer, 15 tods, at 1*l.* 8*s.*	21	0	0	Ditto, at 1*l.*	15	0	0
Poultry and sundries	3	3	0	Ditto	2	5	0
	1,263	3	0		902	5	0
Deduct expenditure	1,154	18	2	Farmer's loss	7	7	1
Farmer's profit	£108	4	10	Expenditure	£909	12	1

These facts and figures could not be controverted or overturned, and the deduction would be that free trade must be ruinous to the tenant-farmers as well as to their labourers. Now, what had the agricultural labourer gained by free trade? It had been asserted by hon. Members opposite that the labourer gained in other matters more than he lost by a reduction of wages under the operation of free trade; that, in short, the agricultural labourer was better off at 8*s.* per week under free trade, than at 11*s.* under protection. Why, he scarcely knew of an agricultural labourer in his district who did not grow his own corn. All his agricultural labourers had allotments. How, then, was it possible for a labourer who grew his own corn, and whose earnings were reduced to 8*s.* per week by free trade, to make up the difference in the cheapness of other things? There was nothing that he consumed which could compensate by cheapness for this reduction. If it were put to the labourer whether he would have corn at 56*s.* and wages at 11*s.*, or corn at 40*s.* and wages at 8*s.*, there could be no doubt whatever of his decision. The House was called on to address Her Majesty to the effect that the House—

> "united with Her Majesty in the feelings of sincere gratification with which Her Majesty witnesses the increased enjoyment of the necessaries and comforts of life which cheapness and plenty have bestowed on the great body of the people."

He could not understand what this meant. Who were the great body of the people? He would show the House who they were, and then it would be clear this paragraph contained one of the greatest untruths ever uttered in that House. In the united kingdom of Great Britain and Ireland, the total number of persons engaged or dependent on agriculture was 17,469,893, the number dependent on manufactures was 9,366,196. Why, was the House to be told that the manufacturing consumers were the great body of the people? The hon. Member for Cork told the House the poor man had no interest in protection. He could assure him that thousands and thousands of his countrymen who annually came over to assist in getting in the harvest—than whom a more steady, hardworking, and openhearted set of men could not be found—that these men were all deeply interested in protection—for the adoption of free-trade principles would naturally affect the wages they had been accustomed to receive. The hon. Member for Malton said the land ought to be improved. He could assure the hon. Member, in the district in which he lived, none were more anxious to improve their property than the agriculturists, and none had carried improvement further. But the hon. Member, in answer to the complaint of the poor-rates being heavy on the land, had stated that magistrates could lower the rates if they pleased. He (Mr. Packe) had presided as magistrate in his own county for many years, and he could assure the hon. Member that magistrates had no power, as he supposed, to lower rates; they had no control in any way over the poor-rates, nor were there any means under the Poor Law Act of altering the rates. He had proved that the labourer gained nothing under free trade, and also that the tenant-farmer was injured. The tenant-farmer in this country must be affected in the greatest degree by the change consequent on the adoption of free trade. Already much had been said on the gross injustice of the operation of the income tax, which compelled him to pay, not on his actual income, but on one half of his rent, which was regarded as profit, no matter whether he derived any profit or not. It had been stated, and he believed with great truth, that tenant-farmers had thrown up their lands in many cases. A reference had been made to the conduct of a noble Duke in giving a large sum—many thousand pounds—to a tenant, by way of compensation for improvements undertaken on the faith of protection prices; but he would ask, whether it would be possible for private gentlemen generally, under such circumstances, to have given 5,000*l.* or 6,000*l.* to a tenant? He was certain, if agricultural produce was to remain at present prices, that the farmer and labourer would be ruined. The landlord, if he got any rent, might drag on for some time longer; but the certain conclusion would be, that he, as well as the farmer and the labourer, would also be ruined.

MR. HUME said, that the hon. Gentleman who had just sat down, though he attended quarter-sessions regularly, appeared to be totally ignorant of the principles which regulated society in reference to commerce and manufactures. What would be said if the manufacturers were to come to Parliament, and—representing the deplorable state to which they were reduced by the reduction of the prices of their manufactures: that they were obliged now to sell cotton goods for which they formerly obtained 9*d.* a yard for 3*d.*—demand protection, on the ground that Parliament had been instrumental in producing that result, in consequence of its having consulted in its legislation the interests of the consumer rather than of the producer? Such a demand would be scouted as ridiculous. Gentlemen opposite seemed to have been asleep for the last half century, if they supposed that was the principle on which those things proceeded. He hoped his hon. Friend the Member for the West Riding would treat the uncalled-for attack which had been made upon him by the hon. Gentleman who had just spoken, with that contempt which it merited. The hon. Gentleman appeared to fancy it to be the duty of the House to attend to whatever demand the producers of corn might bring before it, without any reference to the interests of the consumers. The hon. Gentleman mistook altogether the duty of Parliament. Throughout all its proceedings, except while monopoly prevailed in favour of the landed interest, Parliament had proceeded on the opposite principle. He recollected, certainly, when monopoly was the law of the land, the interests and dictates of the monopolist producers only were respected; but as monopoly was now scouted, and the cry on the other side, as well as on that, "no monopoly," he could not understand the drift of the hon. Gentleman's argument. No speech had satisfied him more in the course of the debate on the Address, than that of the hon. Member who moved the Amendment. Though he did not agree in all his conclusions, he went fully with him in his demand for carrying out the free-trade principle in everything. No doubt the sudden transition from protection to free trade in corn occasioned much difficulty to the producers; but that difficulty was mainly due to the agriculturists themselves, who had strenuously refused to proceed gradually from the bad and unnatural to a good and natural system. But hon. Gentlemen opposite would never listen to any proposition of that kind. In 1829 he endeavoured to show the absolute necessity of abandoning the unnatural and artificial state of things in regard to the corn laws which then prevailed, and proposed that they should do it gradually by fixing a duty of 10*s*. for the first year—and he would not have objected had it been greater—and reducing it 1*s*. a year afterwards until they returned to a state of perfect free trade; but out of a full House—he believed nearly 600 Members—only thirteen voted for the proposition. Since then, however, a revolution had taken place in men's minds; the evidence taken by the Import Duties Committee had opened the eyes of the whole world, he might almost say, but certainly of the mass of the people of this country, and free trade in corn had been established. Well, now, hon. Gentlemen who represented the agriculturists, and who were formerly the great opponents of that measure, ask to be placed in the same category as the rest of the community. That was a most reasonable and just demand, and he, for one, was prepared fully to concede it, and to say that whatever burdens there were upon land which other interests were free from, ought to be removed. He was quite confident that that was the principle on which free trade had been established, and that the right hon. Baronet the Member for Tamworth, who proposed and carried free trade in corn, never intended to have any part of the manufacturing interest protected while he deprived agriculture of protection; and he was sure that the right hon. Baronet's assistance would be given towards the establishment of a perfect equality. It was useless to bring before the House the case of one farmer or another, with the view to show the cost of cultivation in comparison with the return from the produce of the land, because no two farmers, though their farms might be alike in every other particular, would agree as to the outlay. He would say to the farmers, let them put themselves in the category of manufacturers; they were manufacturers of corn, cattle, and various productions of the land; and there were no manufacturers who possessed any claim to protection. It was of no use to talk about the rent of land. It might be worth 40*s*. an acre. It might be worth 20*s*. or 10*s*.; but whatever it was worth the landlord must be content to take. No doubt it was the duty and the interest of the landlord to see that the various charges upon land were reduced to the lowest possible point; but as to rent, the landlord must take what he could get for his farms. Whatever protection the manufacturers enjoyed, the farmers should enjoy the same, but no more. But the hon. Gentleman wanted more. He asked the House to take his debtor and creditor account, and if there should be loss by his farming operations to make that loss good. What had Parliament to do with that loss? If prices continued so low that the land could not be cultivated at its present expenditure without a loss, that expenditure must be reduced either by lowering the rent, or in some other way. He did not refer to wages, which, it appeared, were sufficiently low already. He was sorry to say that wages were as low as 7*s*. or 8*s*. in the hon. Gentleman's neighbourhood. It was not so in his part of the country. But the landlords had raised the alarm unnecessarily, and instead of exhorting the farmers to exertion to meet the difficulty in which the sudden change from protection to free trade had placed them, and assisting in that object themselves, they went round the country calling public meetings, raising the cry of alarm, and telling the farmers that they must all be ruined, and there was no help for it, until they had so impressed the farmers with the truth of their statements, that he believed that they would be miserable, if they were not ruined. In this respect the country gentlemen had taken a most insane and injurious course. No doubt the farmer could not live if prices continued disproportionately low, as compared with the cost of cultivation; but then it would become a question between him and the landlord whether there must not be a reduction in the rent, and, instead of the hon. Gentleman coming down to Parliament to ask for legislation and protection for the farmer to enable him to maintain a profit, he ought to set his mind to consider how the land might be cultivated at less cost. He (Mr. Hume) recollected last year, when he moved for a Select Committee to inquire into the subject of the county rates, with the view to reduce that burden, very few of the agricultural Members voted with him. The subject of depreciation had been referred to by the hon. Gentleman who last spoke, and he seemed to suppose that depreciation in farming stock and farming capital had never taken place before in this country. In 1843, when that question was before the House, a gentleman—a member of the Agricultural Association—sent him (Mr. Hume) a paper pointing out the great depreciation which had taken place in 1842, in consequence of the low prices of that year. The calculation this gentleman made was, that farming stock and farming capital had suffered a depreciation in 1842, as compared with the previous year, of 25 per cent, or, in the gross, 117,000,000*l*. This return was made in Feb., 1843. But he (Mr. Hume) took it that the greater the depreciation, as resulting from free trade, the greater the injustice which had been committed by monopoly on the people at large. His hon. Friend who had moved the Address, had calculated that the loss to the community by protection had been 91,000,000*l*. a year. Now, he (Mr. Hume) remembered that, in his evidence before the Import Committee, the hon. Member for Glasgow stated, as the result of a calculation made by him, in conjunction with Mr. Deacon Hume, that the loss to the community by these protective laws was 60,000,000*l*. a year—an amount equal to the whole of the taxes laid on by the Crown. That statement was pooh-pooh'd at the time, but he rejoiced to find that its correctness was now confirmed. In his opinion, the corn laws had for many years operated as a great check on the property of the kingdom, while free trade would give a wider field for the exertions of all classes, and tend to universal prosperity. The hon. Gentleman the Member for South Leicestershire had put down the agricultural population at upwards of seventeen millions, while he had estimated those engaged in commerce and manufactures at only nine millions. He (Mr. Hume) believed the more correct estimate to be, that one-third of the whole population were dependent on agriculture, and the remaining two-thirds on commerce and manufactures. It was clear, therefore, that free trade already benefited the greater number; and it was his firm conviction that, in the end, it would be found equally advantageous to all. The hon. Member for West Surrey, whom he was sorry not to see present, had accused his hon. Friend the Member for the West Riding with having been the means of deteriorating the condition of the British labourer. He admitted the industry of the working classes of this country—he believed the labourers in no other country worked so hard and so continuously; but if anything more than another was calculated to improve their condition, it was this very measure of free trade. What situation should we be in if our foreign trade were stopped, and we had to depend on our own resources, recollecting that we were essentially a manufacturing people, and imported more than half our supplies? Twenty years ago the cotton trade amounted to thirty-four or thirty-five millions, one-fifth only of which was taken by the home market, the rest being exported to foreign countries. The opening of the trade in corn was the means by which the industry of the country would be best promoted, and the condition of the labourer improved, as it would enable the foreigner to send here that alone which he could pay for our manufactures with. He should be glad when the day came for the promised debate as to the effect of free trade on labour, because he was sure that the result would be that it had been, so far as it had gone, most beneficial. The present debate, in which the leaders on the other side appeared to be altogether beaten in facts and in argument, must be peculiarly gratifying to the right hon. Baronet the Member for Tamworth, as evidencing the triumph of those principles he so ably expounded in 1842. He wished, while on his legs, to obtain some information from the noble Lord at the head of the Government, not on our foreign relations, but our home affairs, which appeared to occupy not one-tenth of the attention on the part of Ministers which were given to foreign matters. They had already received some information regarding foreign affairs—they had had a great blue book given them about the affairs of Italy, and another about Hungary; he wanted to know something about our affairs at home; they had been told nothing about remedial measures, or about any measure of importance respecting the internal condition of the country. The Members of the Government gave ten times the attention to foreign that they did to domestic affairs. Ministers had intimated some change in respect to the elective franchise in Ireland, but he thought the people of this country were also entitled to some consideration. Looking at the situation in which we were placed, and the manner in which the people had supported the Government in their endeavours to preserve the peace, the quiet orderly manner in which they had conducted themselves amid severe privations and suffering, entitled them to some attention and some relief. He regretted to find no allusion in the Speech of the Royal Commissioners to the extension of the suffrage. The promise made by the noble Lord, in 1832, of the entire removal of class legislation — the taking the power out of the hands of the few, and placing it in those of the real representatives of the people—had not been realised under the Reform Bill. This brought him to the last paragraph in the Royal Speech; and he hoped the noble Lord would avail himself of the present opportunity to state to the House whether he meant to introduce a reform in Parliament, and make such other changes as would diminish the amount of crime in the country. The paragraph was as follows:—

> "It is Her Majesty's hope and belief, that by combining liberty with order, by preserving what is valuable, and amending what is defective, you will sustain the fabric of our institutions as the abode and the shelter of a free and happy people."

He asked nothing more. He wanted nothing more than to preserve what was valuable, and to amend what was defective. The noble Lord had admitted, and all hon. Gentlemen were aware of the defective state of the representation; therefore it was sincerely to be hoped, that the noble Lord would be able to state whether it was his intention to propose any extension of Parliamentary reform, so as to take away that which was odious in the eye of the people—namely, the nomination of hon. Members to that House. He did not ask the noble Lord and his Colleagues to go to the extent that he (Mr. Hume) would go, for he had always trusted the people, and had the most perfect confidence in them, and therefore he would grant them extensive rights. The principle of the constitution was, that the people were the root of all power, and that they should possess the full privilege of electing those who had to dispose of their lives and liberties. Seeing that the defects in the representation were admitted, and that the people of England were anxious for improvements, could the noble Lord give any information on the important subject of reform in addition to that the Royal Speech contained? Was it intended that there should be such a reform in Parliament as the people required? He had no wish that any change should take place which should not consolidate the Government of the country. He was as great a friend to peace and order as any man in the land, and it was on that ground he wished the noble Lord to reconsider the speech he delivered two nights ago, because every able argument he had then adduced against altering the present system of free trade, would apply still more strongly in favour of having reform in Parliament, and granting contentment to the great masses of the people. He believed that a large portion of our military establishments were kept up in order to suppress the demands of the people. He supported the principles of the Charter, but repudiated altogether the attempts made to carry it out; and it appeared perfectly clear to him that the noble Lord and his Colleagues had been obliged to add to the military force, and to increase the number of their coercion laws, with the view of putting down the demand which existed almost universally in favour of improved Parliamentary representation, particularly among the labouring classes. Let the noble Lord place them within the pale of the constitution, and not restrict the franchise to 1,000,000, instead of 6,000,000 or 7,000,000 persons. He submitted that the speech of the noble Lord against the demands of the protectionists, would apply equally well in favour of giving the people Parliamentary reform, placing them within the pale of the constitution, and interesting them in the institutions of the country; and he believed that if these rights were granted, the noble Lord would do more to establish Her Majesty's throne in the hearts of Her subjects than by any other plan he could adopt. Another question he wished to ask was this, was it the intention of Her Majesty's Government to afford relief by taking off those taxes which were known to be most mischievous and injurious to the people? Her Majesty had alluded in Her Speech to the precautions against sickness, and to the necessity of adopting sanitary measures; but how could the noble Lord put a sentence of that kind in Her Majesty's mouth, or appear earnest in his expressions of wishing to attend to sanitary measures, when he still imposed the window tax, which was the greatest of all enemies to the health and comfort of the working classes? If the noble Lord wished to carry out the recommendations contained in the Speech, and to congratulate the House on steps having been taken in the country to promote sanitary measures, why did not he state, at the same time, that the burden of the window tax would be taken off the people? It was a downright mockery to tell the people of England that they should raise money to promote the health of their respective boroughs, by draining and pure air, whilst they shut out, by legislation and taxation, fresh air from the inhabitants. He further called upon the noble Lord to lessen the burdens at home by reforming the whole of our colonial system, making the colonies free and willing adjuncts of this country, giving them the means of managing their own affairs, and paying their own expenses. The advantages of this reform would be tenfold. We might then relieve ourselves rom the support of that large military force which was now maintained for the preservation of order in the colonies, and we should have emigrants in large numbers proceeding from this country of their own accord. These were three points, then, upon which the country required information; and he should feel thankful to the noble Lord if he would at once avail himself of the opportunity to satisfy all inquiry.

Mr. GRATTAN thought that the questions which had been asked by the hon. Member for Montrose might be answered on some other occasion. He had himself risen for the purpose of saying a few words as to the vote which he had given on a previous evening, on the Amendment to the Address. It was painful for him to have to answer for that vote, because, however satisfied he might be as to the prosperity of this country, he had no satisfaction as regarded his own. In the one they had, comparatively, a picture of happiness; in the other, a picture of desolation. It was the duty of the Government to account for such a state of things; for it was not merely a matter of interest to his country, but a matter of life and death. He had admired the speech of the hon. Gentleman who had moved the Address, but quite as much for what he had omitted as for what he had told them. He had told them, however, that if Ireland had been properly managed she would have given corn enough for this country as well as for herself. Well, for fifty years past they had Ireland under their control, and what had they done? They had brought matters to such a pass that they had driven the farmers and labourers out of the country. It had been stated that the consequences of the scarcity which prevailed in Ireland had been mitigated by the tranquillity which existed in that country; but the proposition was one which he confessed his inability to understand. He could not understand how the consequence of scarcity, which was hunger, could be mitigated by tranquillity. The inconvenience which was the result of hunger might no doubt be succeeded by tranquillity, but it was the tranquillity of the grave; and he could not help thinking that a large loaf, or even a small one, would be preferable to quiescence purchased at so dear a price. It was made a subject of felicitation in the Royal Speech, that the necessaries of life might be had for little or nothing in Ireland at present; but from that assurance, he, for one, could derive no comfort. In Ireland they had not even a little now, and what had become of the nothing? The unfortunate Irishman was in the position of the ill-fated individual whose hapless case had been so pathetically alluded to by the Roman satirist—

> "Nil habuit Codrus; quis enim negat? Et tamen illud
> Perdidit infelix totum nil."

Of what avail was it to a starving man that the comforts or even the luxuries of life might be had at an insignificant expense, if he found it as difficult to procure a small sum as a large one? With respect to the free-traders, he candidly confessed that he never believed one-half they said; and if the hon. Members who were now listening to him would do him the favour to look over the list of divisions on free-trade questions, they would not find that his name figured there. He was sorry to say that he believed the free-trade party had fallen into many errors, and committed many mistakes. The hon. Member who had moved the Address was the real author of the repeal of the corn laws. Him he (Mr. Grattan) believed, because he was not a merchant or a trader; but if he had been either, he would not have been so ready to give credence to his representations. He remembered having asked that hon. Member whether he thought that, in the event of free trade being carried, the prices of the necessaries of life would be reduced, and also whether he thought it probable that foreigners would receive the goods of our manufacturers; and to each inquiry the hon. Gentleman replied in the affirmative. But the event had lamentably falsified his prediction, so far, at least, as the latter part of the assurance was concerned. Foreign nations, so far from manifesting any desire to receive our goods, and to reciprocate our free-trade policy, had enacted hostile tariffs, and seemed resolved to pursue, in our regard, as unfriendly a system as possible. True, the English were still as they had been described by Voltaire, *des gens fiers et hardis*, and they might perhaps recover from the experiment; but as for unhappy Ireland, he saw that day by day she was going from bad to worse. He denied that there was free trade in any fair or equitable sense of the word. He had received from abroad a letter from a friend who could not drink British port, and who was in the habit of getting over a cask of foreign wine. Well, that wine paid 5*l*. duty, and his friend wanted to know why, with free trade, he was to pay that for German wine? Well, another friend received some Sicilian wine, which cost 22*l*. in that country, and for which he paid 15*l*. duty. An Irish Member coming over to attend his Parliamentary duties in this country, could not dare to bring a gallon of Irish whisky over with him. If he were to do so, he would have to pay 100*l*. to Her Majesty's Chancellor of the Exchequer, which would be purchasing Irish whisky at rather too dear a rate. At the present moment some of the best spirituous liquor in the empire, of the richest possible flavour, and more than thirty years old, was lying in the Queen's stores at Liverpool, having been forfeited under what they were pleasantly told was the free-trade system. If the Irish Member, misled, poor simple fellow! by the representations of English excise officers, who ridiculed him for bringing over so small a quantity as a gallon, were to fetch over a puncheon the next time, he would find that before the end of the Session had arrived, more than one-fourth would have escaped or evaporated; and yet, when he came to settle accounts at the Excise Office, he would find that he would have to pay duty for the whole. And that was what they called the free-trade system. Such treatment of the Irish was in direct violation of the assurance which Lord Castlereagh gave to Sir John Newport at the time of the Union, that Irish whisky should for the future be imported into England free of duty; but Irish whisky was taxed to protect the West India interest. The fact was, that in this as in every thing else, Ireland had been made the victim of the grossest and most monstrous mismanagement. The country had been devastated and desolated as by a plague. Where were her exports and her imports? *De non apparentibus et non existentibus eadem est ratio.* He could find no account of them. The fact was, that of late years her exports in every single article had been going back. This was true even of the article of whisky. In the year 1817 the revenue of Ireland was 7,600,000*l*. Would it be believed that it was now no more than 3,968,000*l*? What were they going to do for that unhappy country? What did they purpose on the general principle of Government to assuage the sorrows, to remedy the sufferings, and to redress the grievances of that ill-fated land? Nothing, absolutely nothing. They would compel the Irish Members to spend six months in London, and then they would send them home to their estates as wise, but not as rich, as they had come. The exports of Ireland were rapidly decaying. There was a time when the value of the exports of corn from

Ireland averaged 2,000,000*l.* a year. At present there was not, of all descriptions of corn, whether wheat, oats, or barley, more than the value of 14,000,000*l.* in the country. Ireland now was nothing better than a lifeless block, floating on the western waters. Her exports were gone, and her imports were only injurious to her, inasmuch as they injured her native manufactures. In 1792 there was exported 90,000,000 yards of linen; and now they were told by the hon. Member for Rochdale—as a proof of prosperity—that Ireland exported last year 87,000,000 yards of linen. So much for the linen trade. If it was true that the Royal Speech was to be the programme of the Session, how came it that it contained no allusion to the poor-law? It was well to call upon the Irish gentry to employ the people, for it was known that agricultural produce could no longer command a remunerative price. Little or nothing was got for corn and mangel wurzel; carrots and turnips sold at a mere nominal price. The present poor-law system was eating up the country like a cancer. It had been established, not for the purpose, as had been often said, of ascertaining whether the property of the country might not be made to support the poverty, but for the purpose of ascertaining whether the wretched remnant of property that still remained might not be made to support the great mass of the people in idleness. In what a condition were the unions of Kilrush, Scariff, Mohill, and Carlow? Nothing but nakedness, misery, disease, and death was anywhere to be seen. The workhouses were the pest of society, and if he had his will they should all be burnt to the ground. He was credibly informed by a gentleman who derived his information from a person connected with the police, that the practice was known in this country of making a contract for supplying houses of ill-fame in this metropolis from the female inmates of the workhouses in Ireland. It was impossible to calculate the amount of evil which the poor-law system had effected in Ireland by demoralising and debasing the people. You might travel all day through Ireland, and without meeting anything but misery, disease, and death. The fit place for those men, whether Whigs or Tories, who had brought a fine country to such a condition, was neither the Ministerial nor the Opposition benches, but the bar of the House, when they should be called upon to answer for their misdeeds. The attacks of the hon. Members for the West Riding and Manchester, he threw back upon them with all possible indignation. No more unjust or undeserved attacks had ever been made on any class of men than had been made by the hon. Gentlemen in question. He would take leave to assure the hon. Member for Manchester that the persons in this country whose favour he sought to propitiate by calumniating the Irish landlords, would as soon cut his own throat as the throats of those landlords. It was not true that the resident landlords were universally despised and detested. Was Lord Fitzwilliam detested? Were the La Touches detested? What would Government do on behalf of the poor Irish clergy, Catholic and Protestant? He was in a position to show that many of both classes were in a state of the most abject destitution. [The hon. Member read a number of letters, chiefly from clergymen of the Established Church, complaining that they had been reduced to the direst distress. One expressed his thanks for a few articles of clothing; and another said he had only 41*l.* to support himself and ten children.] He again asked the Government what they intended to do for Ireland. Many suggestions had been made, and many expedients had been tried, but nothing effective had been done. Would they give back the absentee rents which were daily drained from Ireland, or cause capital to flow into the country? Did the House know that within a few months 700 inquests had been held upon persons who had perished by starvation? Did they know that men were employed in the west of Ireland to drive the dogs from the churchyards to prevent them from feeding on the wretched corpses of the people, which were barely covered with sand? If he had his will, he would send the Ministers to that country to behold with their own eyes a scene of horror and misery unparalleled in the history of the Christian world. To the block, and not to the bar, the Ministers ought to be sent who could permit such a state of things. As the cackling of a goose once saved the Capitol, so, perhaps, the bleeding head of a British Minister might yet save the fallen destinies of Ireland. Entertaining the feelings that he did, he could not have felt himself justified if he had not voted for the Amendment.

Mr. P. HOWARD begged to address a few words to the House on what had fallen from the hon. Member for Montrose. They had seen with satisfaction that Her Majesty's Ministers proposed to extend the now contracted limits of the

Irish constituency. Now, he did not feel any jealousy as regarded them, but he thought it would be most satisfactory to the people of this country, if the noble Lord at the head of the Administration were to take some steps at this time of profound peace to extend the franchise in this country. He thought Government might do it now without appearing to follow in the wake of foreign Powers. The people had shown by their good conduct that they were ripe for further elective privileges, and he thought some concession should now be made to them. He thought that an extension to household suffrage might now be made, that it might be done with perfect safety, and that it would be duly appreciated by the country at large. It would be an extension consistent with the ancient constitution of this country. Many Members might wish to establish the principle of the ballot. He only wished to see the constituency extended, to see the liberties of the country placed upon a broad foundation. Many years had elapsed since the Reform Bill was carried. Since then the progress of education had been great, and he was sure if a project was brought forward by Government, it would be the best and most likely way to secure the general assent of Parliament; but if it was not, he should certainly take an opportunity of forwarding as much as possible his own views on the subject.

Mr. P. BENNET said, he should not have risen but for the misrepresentations which the Mover of the Address had made with regard to the labouring classes. He looked forward to free trade affecting the people, the labouring classes, more than any other class; and by the labouring class he did not mean merely the workmen congregated in large towns, but the labouring classes spread all over the country and living in towns which were in a great measure dependent on agriculture, and he believed that the number of those connected with agriculture was much greater than those connected with manufactures. The hon. Mover of the Address said, that even in the agricultural districts the labourers were better off, as they had either more wages, or they got more for the same money. Now, he (Mr. Bennet) denied the fact of their receiving more wages. Their wages were dreadfully reduced. In his county there were more men out of work than in any district in the kingdom. He might be ashamed of that; but from the great reduction in the price of produce, the farmers were not able to employ them. Distress had been felt by the agriculturists not only in 1849, but in 1848, for the crop was so very small, and the harvest so extremely wet, in 1848, that with better prices it was equally bad for the producer. In 1848, the produce was much over-rated; it was hardly an average. At the present moment there were immense numbers of labourers loitering about without employment. Some farmers had thought it better to reduce the wages, others had reduced the number of days on which they employed the men; and the fact of the price of the principal articles of consumption being reduced was of no avail to them, for they had no money wherewith to purchase them. The wages were 7*s.*, in some places only 6*s.* a week, and many ablebodied men were in the union-house. A public meeting would be held on Thursday, in the county of Suffolk, which he had the honour to represent, which would be attended by a great many who would express their feeling that they would be obliged to turn away more. Seeing the Secretary of State for the Home Department in his place, he would ask him whether he had received information at the Home Office that the military from Ipswich had been obliged to be called out in aid of the civil power at the union-house of Bosmere and Claydon on Barham, and that the police were in requisition at the Newmarket union on the borders of Suffolk?

Sir G. GREY observed, that Government had received no such information.

Mr. BENNET said, that such disturbances had taken place, and he supposed the information had been communicated to the hon. Secretary of the Home Department. He then proceeded to observe, that it was said farmers might get on with wheat at 5*s.* a bushel, because what the farmer consumed fell in the same proportion. But that was not an advantage to him, because he produced what he consumed. The Chancellor of the Exchequer remarked, that he was decidedly of opinion that the agricultural labourers who had been able to retain their work, had been considerably benefited by the reduction in the price of food. There could be very little doubt that if they had work, and the articles they consumed were cheaper, their condition had improved. With respect to the farmers, he had heard no one come forward and give them the means of improving their condition. The ideas of some of the Members on the Treasury bench were so extravagant as to the profits of farming as proved they were not acquainted with the subject [which was assented to by Mr. Hawes, to whom he (Mr. Bennet) referred]. The malt tax, amounting to about 3*l.* or 4*l.* to the acre, on every acre of barley grown, was a great burden on the farmer. If their condition could be improved in any way, it was by the reduction of the local taxes which pressed so heavily upon them — if they were in any way placed on a level with the rest of the community, then they might compete with foreigners; but at present the local burdens were so great that they could not compete. The hon. Gentleman concluded by stating his regret that the Speech had only referred to the complaints of the agriculturists, and omitted the distress of the agricultural labourer.

COLONEL SIBTHORP had felt extremely anxious to speak the other evening because he had had the honour of seconding a resolution at one of the most important public meetings that had ever been held in Lincolnshire. There were from 15,000 to 20,000 men assembled at that meeting. He had thought it fair to put a question to one of the most earnest opponents of the landed interest in that county—he meant Mr. John Norton, mercer and draper, of the city of Lincoln. He asked that gentleman, "What sort of a meeting do you think we have had to-day?" His reply was, "An excellent one." "Do you not think that you are dead beat?" His answer was "Decidedly." "Did you ever see a more influential meeting?" He replied, "Never in my life." This he (Colonel Sibthorp) considered most satisfactory, coming, as it did, from so strong an opponent. Mr. Norton told him that the hon. Member for the West Riding had come down to Lincoln on Tuesday. He (Colonel Sibthorp) presumed that it was not on any secret matters; that there was nothing going on *clausis fores.* But why was he not at the meeting? If he could not have appeared as a freeholder of the county, there was another opportunity given him for arguing the question of free trade; a meeting was held in the city of Lincoln where every one would have been at liberty to speak. He, however, came not, but preferred employing himself, like some quack doctor, in disseminating little tracts by which he hoped to poison the minds of the inhabitants; but he did not succeed. The other night, indeed, the hon. Gentleman challenged the hon. Member for Buckinghamshire to come forward and enter into the question as to the state of the agriculturists, or rather, he should say, of native industry; but as that hon. Member had given notice of a Motion to the same effect, it would have been wrong for him to have entered upon the subject then. [An Hon. MEMBER: The notice was about the poor-law.] He should like to have added to the Amendment a declaration that the House of Commons, as at present constituted, was inefficient to enact laws which would tend to benefit the country, or to carry out more satisfactorily the administration of its affairs. With respect to protection to native industry, he was afraid there was very little hope. While he saw so many associations formed, there was little chance for protection. There was the National Reform Association—what a society!—a sort of Anti-Corn Law League revived—small in numbers, but exceedingly deceitful and treacherous. Then there was the Anti-Peace Society—[*Laughter*]—he meant the Peace Society. Oh! slips went for nothing. Well, those he called revolutionary societies; but then there was the commission for the grand exposition in 1851; and who patronised it? He was sorry to say, those who ought not to do so. Foreigners would carry off the premiums out of English purses. Perhaps some of the secret service money might go towards them, and he was not prepared to say that it would not—every trick would be tried. He had looked over the list of commissioners, and he did not see much to give him confidence in protection to native industry. First, he saw "our right trusty and well-beloved councillor" the right hon. Member for Tamworth; and then our "trusty and well-beloved" the hon. Member for the West Riding. If such were to be the component parts of the commission, he could only augur, for experience had made him wise, that there would be nothing but trick and manœuvre—native industry would be forgotten, and the foreigner would be encouraged too much, as he had been, in this metropolis and elsewhere—outwitting, if he could, and outselling the hard-working people of this country. But then there was the Emigration of Females Society. He was sorry to use such a term, but that society was a premium for promoting prostitution, and nothing else. The system was a "cheap and nasty one." If they gave them employment here, by putting a duty on foreign articles so as to enable them to compete with the foreign, it would do them some good. He did not place much reliance on the apparent prosperity referred to by his right hon. Relative. A man might have 5,000*l.* at his banker's on Thursday night, but if he paid his debts he might find that he had nothing there on Friday morning. Accounts might be arranged so as to present a favourable appearance—he had heard of such things, and such things might happen again. Orders might be given for 50,000*l.* or 60,000*l.* worth of timber to be sent to a dockyard, but you might not hear of payment until it was convenient, and then, when it was put into the account, it was mentioned as a small item. He believed that at that moment items were put into the accounts to suit various party purposes. His right hon. Relative spoke of the Excise as being in a thriving state; but he believed that there were mis-statements and misrepresentations about it. The most favourable period, from the 10th of October to the 5th of January, was taken; but he believed that if the statements were analysed and scrutinised, the fact would not be found to be as stated.

SIR J. YOUNG begged the House would permit him to correct a misapprehension, or mis-statement, in a portion of the evidence that had been taken before the Poor Law Committee; but before doing so he must say he was surprised to hear the hon. Gentleman the Member for Meath attribute the state of Ireland to the want of protection for native industry. He entirely agreed in the opinion expressed by the hon. Gentleman the Member for the city of Cork, that the tenantry of Ireland had very little interest in the question of protection. They had none whatever, and as a proof of his assertion, he would read a passage from a statement made in the year 1836, when protection was in its zenith; and he would recommend that statement to the consideration of the hon. Gentleman the Member for Meath. Three tables were prepared stating the average employment during each month, of three classes of labourers. The more skilful were employed 150 days in the year; labourers of a general average class were employed 115 days; and the labourers who had not acquired their full strength, or were becoming old, were employed only 70 days in the year. That was at a time when the protective laws were in their zenith, and it was not in a distressed part of Ireland, but in the rich county of Meath, the best land perhaps in the world. He knew the county well; he lived on the borders of it; and the habitations those persons lived in were habitations that no English cottier would occupy. For twenty years the appearance before their doors was not to be equalled in the worst lanes of the most filthy towns in Scotland and England; and a state of famine and pestilence was the constant fate of those people in the best days of protection. They should attend a little to the facts, and these were the facts with regard to Ireland. He felt bound to make this statement, because a gentleman who inherited a great name, and also added to it by his writings, had represented the distress to arise from the want of protection. The error he now wished to correct appeared in the report of the Committee who sat on the poor-laws last Session. It was in answer to a question by a gentleman of the name of O'Sullivan. He stated that he was acquainted with the union of Kenmare, and he said the rents there were generally 20 per cent over the poor-law valuation. On this evidence the inference was drawn that the rents on the Marquess of Lansdowne's estates were 20 per cent over the poor-law valuation. His Lordship having instituted an inquiry into the matter, wrote a letter, which he had since forwarded to him, with a request that it should be printed in the Appendix. That letter gave as formal a contradiction as possible to the statement; and the Marquess of Lansdowne requested of him to take the earliest possible opportunity of making public the fact. He begged to read to the House the letter received by him from the Marquess of Lansdowne:—

"London, Jan. 23.

"Sir—I take the liberty of addressing you, as chairman of the Committee of the House of Commons which sat during the last Session to inquire into the Irish Poor Law, to correct a gross error in the evidence adduced before it. Having observed with great surprise that Mr. O'Sullivan (the priest of Kenmare) had stated that my rents in that neighbourhood were 20 per cent above the poor-law valuation—a statement which I knew must be false, though I could not exactly state to what extent—I directed, therefore, during the recess a minute inquiry to be made on the subject; and having had it proved to Mr. O'Sullivan how erroneous his statement was, I have desired him to address to you the paper which I enclose, admitting the fact; indeed, the gentleman who conducted the investigation assures me that they are still more below the valuation than he now admits. Allow me to add, that it is not so much with a view to setting myself right in your opinion and that of the Committee, that I trouble you with this, as for the purpose of administering the only corrective in my power to that habit of loose statement and rash assertion which prevails so much, and takes off from the utility of all inquiries by diminishing the confidence attached to them. I have no reason to believe there was any malice in the reverend gentleman towards me—quite the contrary, as he has always spoken well of me—but merely a desire to appear to know what he did not know, at the risk of misleading others.—I have the honour to be your very faithful servant,

"Sir John Young, Bart." "Lansdowne.

"TO THE CHAIRMAN OF THE SELECT COMMITTEE ON POOR LAWS (IRELAND).

"Sir—My attention having been called to an answer of mine (No. 2,558) in my examination before the Committee, in which I stated the rent on Lord Lansdowne's estate to be 20 per cent above the poor-law valuation, I have made more minute inquiry, and I find, in the electoral division of Kenmare, his Lordship's rents to be the same as the poor-law valuation; in the electoral division of Bunane, 8 per cent under the poor-law valuation; and, in that of Tuasist, 17 per cent under the same valuation; and I have much pleasure in taking the earliest opportunity of correcting this material, but certainly very unintentional, error on my part. And I have the honour to remain, Sir, your very obedient servant,

"John O'Sullivan, P.P. and V.G.

"Kenmare, Jan. 4."

Mr. BANKES said, that as the hon. Baronet who had just spoken, undoubtedly with great authority (as an Irish Member, and who held office under the late Government), had thought it right to say that during the existence of the protection system Ireland was in a state of famine, pestilence, destitution— [Sir J. Young: I said the Irish peasantry.] As the hon. Baronet represented the Irish peasantry to be in a state of famine, pestilence, and destitution, it was becoming in any hon. Member who entertained different opinions to appeal to an authority to which he thought the hon. Member was a party, as affording a solemn contradiction to that which he now ventured to assert. He (Mr. Bankes) had observed in the course of the debate on the present occasion, that it was very convenient for those hon. Members who supported free trade, commencing with the hon. Gentleman who moved the Address, to appeal only to years subsequent to the repeal of the corn laws, for the purpose of comparing them with the year now under consideration; and then they spoke of free trade and the progress of commerce and the improvement of manufactures as compared with those years. Now, he asked the hon. Baronet to take one of the years before the removal of protection, when he was himself a Member of the Government, and compare it with the present year. Let him take any year from 1841 to 1845, and compare the present state of the kingdom with the state of the kingdom in those years. He thought the hon. Baronet would have acted more fairly if he had taken the year 1845, the alteration having been made in 1846—the hon. Gentleman was then a Member of the Government—and let the House see what was the account given by that Government of the state of the united kingdom, and especially of the state of Ireland, in the year 1845. He would take Her Majesty's Speech at the opening of the Session of 1845, and what then were the opinions of the Government of the country. Her Majesty in Her Speech was advised by those Ministers to say—

"My Lords and Gentlemen—I rejoice that I am enabled, on again meeting you in Parliament, to congratulate you on the improved condition of the country. Increased activity pervades almost every branch of manufacture; trade and commerce have been extended at home and abroad; and among all classes of my people there is generally prevalent a spirit of loyalty and cheerful obedience to the law. I continue to receive from all foreign Powers and States assurances of their friendly disposition. I have had much satisfaction in receiving at my Court the Sovereigns who in the course of last year visited this country."

And then with reference to Ireland, the Government, of which the hon. Baronet was a Member, advised Her Majesty to express herself thus:—

"Gentlemen of the House of Commons—I have observed with sincere satisfaction that the improvement which is manifest in other parts of the country has extended to Ireland. The political agitation and excitement which I have had heretofore occasion to lament, appear to have gradually abated, and as a natural result, private capital has been more freely applied to useful public enterprises, undertaken through the friendly co-operation of individuals interested in the welfare of Ireland."

Yet an hon. Baronet who was connected with that Government now rose in his place to say, that during the whole continuance of that system, which he, with his party (he should not misrepresent the hon. Baronet), continued to promote—

Sir J. YOUNG: I rise to order. What I said was, that the Irish peasantry had little or no interest in protection. I instanced the small amount of employment which they received under that system; and I stated that in the county of Meath famine and fever were frequent during the existence of protection. What has that to do with the abatement of agitation, and the cheerful submission of the people to the law?

Mr. BANKES thought the condition of the peasantry of the country had much to do with the welfare of the country. He did not think that Gentlemen would have put into the mouth of the Sovereign a statement which would have been a glaring falsehood if that peasantry were then suffering from the system which they now condemn. The hon. Baronet and other Members of the Government, five years since, were ready to rise in their places and propound the very opposite sentiments. It was not for him to quarrel with the hon. Baronet if he thought fit to change his opinions. [Sir J. YOUNG: I never changed my opinions in my life. I deny it.] If the hon. Baronet entertained a different opinion, he refrained from expressing it during a long period of his life. As to the division the other night, when it was recollected that one great party was opposed by three several parties, united for this one only object, he saw no reason to despair; and with regard to the division in the other House, he, for one, did not so much deplore that some of the greatest in the land should refrain from offering an opinion, and avoid furnishing a pretence for the observation that the question was merely a landlord's question. It was a battle to be fought in that House and in the country, and he did not think the Peers of the realm lost any of their dignity by abstaining from mixing in the contest. The hon. Gentleman the Member for Montrose—although he agreed with them, and admitted they had grievances to complain of, and good grounds for calling for redress—said they were wrong, because they did not adopt the line he recommended; but when he saw only thirteen persons in the House concurring with the hon. Gentleman, there was, he thought, some absolution for them. The hon. Gentleman treated them too severely when he said, "As you do not pursue the remedy I have pointed out, you shall have no remedy at all." However, the hon. Member for Montrose, whatever might be his sagacity, seemed at a loss to tell them what to do. [Mr. HUME: Reduce your expenses, and do as others do.] The hon. Gentleman was mistaken if he did not think that system would be adopted as far as possible. They should, however, hesitate in making experiments, which might seem to the hon. Gentleman to be very cheap, but which, like other experiments, might be liable to error. The advantages which our neighbours had gained by their cheap revolutions, were not such as to justify us in embarking in similar experiments. The hon. Gentleman had fallen into a very serious error with regard to this question. He had heard him say that the result of the repeal of the corn laws would be, not a fall in prices, but an equalisation of prices. [Mr. HUME: Hear, hear!] At a time when the price ranged at about 54*s*. or 55*s*. the quarter, the hon. Gentleman had said that the effect of the change of law would be to enhance that price, and to equalise it throughout all corn-producing countries. But the hon. Gentleman was disappointed in his expectations, and he could not blame them for declining to follow his advice until they found he was right in some of his prophecies. He had referred them to the Speech of Her Majesty in 1845 to show the opinions of the then Ministers of the Crown; and he might say that such also was the opinion of the whole House, for there was no amendment moved on the occasion, and Her Majesty was not then placed in the painful situation of hearing the complaints of any portion of Her subjects. The noble Lord at present at the head of the Government made a speech upon that occasion, but said not one word about depression arising from prices, or anything of that sort. Totally different were his observations; and he (Mr. Bankes) would read a portion of the speech of the right hon. Baronet the Member for Tamworth, then at the head of the Government, made in answer to that speech:—

> "The noble Lord has admitted that in the Speech delivered by Her Majesty this day, and in the answer to that Speech, and also in the speeches of the Mover and Seconder of the Address, he can scarcely see anything to find fault with. Of the Speech the noble Lord said he had no complaint to make; neither of the Address, nor of what fell from the Mover and the Seconder. That being the case, I wonder the noble Lord did not approach the commencement of the Session with something more of an equable temperament. What was there for the noble Lord to be wroth at? And yet the noble Lord has given utterance to a most violent and bitter party speech. Is it that the noble Lord's temper has been provoked by the contrast which the Speech from the Throne this day presents to the Speeches which the noble Lord, when in power, was obliged to counsel? Is it the congratulations which Her Majesty offers to Parliament on the present state of the trade and commerce of the country, of the improved condition of the manufacturing industrial classes, and, above all, of the flourishing state of the public revenue; is it these things which have suggested to the noble Lord reminiscences of a very painful nature, and which has disturbed that equanimity of temper which is usually displayed by him, and which is generally observed on the first day of Session?
>
> 'Vixque tenet lachrymas, quia nil lacrymabile
> cernit.'"

But now there was some *lacrymabile*, and yet these were the palmy days of 1850, in which they were called upon by the hon. Member who moved the Address to consider that a new day-star had arisen, and that free trade was now dawning upon them with all its benefits, and that such happiness as they had never seen before was now destined for their enjoyment. It had been said in the course of this debate that manufactures were in a state of wonderful prosperity. There were some cotton manufacturers now present in the House, and he would be happy to hear any one of them rise in his place to state that he considered the present state of the cotton manufactures to be in a sound, healthy, or happy condition. That they had greatly improved during the last year as compared with former years of free trade, he was most happy to believe; but he totally discredited the assertion that they were in a secure and healthy condition. The hon. and learned Member for Sheffield had alluded to the disruption of their relations with Spain, and hoped that their diplomatic relations with that country would never be re-established. It was impossible to avoid a painful feeling when allusion was made to that topic. It could never be forgotten that England had been subjected to the humiliation of having her ambassador expelled from Spain, and up to this time had received no reparation for the insult. He did not concur in the hope expressed by the hon. and learned Member with respect to a renewal of diplomatic relations. During the cessation of these relations an alteration had taken place in the tariff of Spain, by which the duties upon some of our manufactured articles had been raised considerably higher than in 1846. Whatever might have been the effect of the travels of the hon. Member for West Riding, through the various countries of the Continent, free trade had not, however, followed in his wake. With the exception of Spain, every country which he had visited had had its revolution. He supposed that Spain saved itself from such a catastrophe by the expulsion of our ambassador. From none of the countries which the hon. Member had visited, had they had a single beneficial tariff, and from Spain they had one directly the reverse. Some foreign news from the Levant, received on Saturday, had startled some of the manufacturers of Manchester; and he could not but believe, from the statement made to-night by the noble Lord the Secretary of State for Foreign Affairs, that there was something in the question not altogether fully explained; he trusted that no trivial or foolish circumstances would be suffered to interfere with the interests of a large commercial nation such as this was, and such as he trusted it would ever continue to be. It would be the grossest mismanagement to allow such petty causes as those which had been assigned to cause anything like a suspension of the industry and commerce of the country, and it would be past all endurance if such should turn out to be the case. He cordially concurred in an observation which fell from the hon. and learned Member for Sheffield, to the effect that in any question of reduction of expenditure it would be well to consider the expense of our diplomatic relations. Should the question come to one of cheapness, he certainly thought it a fit subject for consideration whether they could not, without in any degree detracting from the honour and character of the country, maintain their honour and dignity in foreign countries at less expense. But while he was ready to consider that subject, he was not prepared to consent to any reduction which would affect the dignity of the Throne, or the safety and honour of the country.

Mr. SPOONER trusted the House would give him its attention for a few moments. He should have contented himself with a silent vote if he had not been directly alluded to by the Chancellor of the Exchequer and the hon. Gentleman who moved the Address. He was called on to explain why the prophecies which had been alluded to with respect to the currency had failed. The hon. Mover of the Amendment had left it to him to answer the currency part of the subject; but he had no intention at present of entering upon the question of currency. He was, however, ready to answer the challenge which had been thrown out. The hon. Gentlemen had said, that they on his (the protectionist) side had prophesied that free importations of corn would lead to an exportation of bullion, but that the reverse had taken place. He (Mr. Spooner admitted it); but there were causes for the great influx of bullion. The first cause was one which had frequently occurred. If hon. Members would look back at the various speeches delivered from the Throne since 1819, they would find them noticing alternate periods of prosperity and distress, followed at periods by an influx of bullion, which gave a stimulus

—lasting, however, only long enough to raise prices above the prices of the Continent, and then out went the bullion, followed by a period of distress. In a year of distress our manufactures were forced into foreign markets, and were sold too frequently at a loss to enable the exporters to meet their engagements, and bullion was brought back. Such a cause had lately been in operation in this country, which accounts, in some measure, for the present large amount of bullion in the Bank. Another cause of the increase of bullion was the state of the Continent for the last two or three years. He spoke on authority when he said that not less than 25,000,000*l.* had found its way to this country for investment. Another cause was the mania which existed to such an extent some years ago for travelling on the Continent. Not less than 12,000,000*l.* had been taken abroad for that purpose. But the mania and the expenditure had lately ceased. Another cause was, that the sovereign was no longer a legal tender in Belgium, and the consequence was, that not less than 2,000,000*l.* or 3,000,000*l.* in sovereigns were released from the circulation of Belgium, and found their way to this country. These were the causes, not unattended with danger, of the present accumulation of bullion in this country. On the restoration of order on the Continent, much of that bullion would be in demand for exportation, and then it would be seen that it had not been brought here as a balance of trade, but from unforeseen circumstances, the continuance of which they had no right to expect. It was a serious thing to consider what would be the effect on trade. The returns furnished by the Board of Trade showed that for a number of years the balance of trade had been against this country—a proof that the accumulations of bullion had not resulted from commercial transactions, but must be attributed to the causes to which he had alluded. Another false prophecy charged to the protectionist party was their statement that the adoption of a free-trade policy would be injurious to our commerce and manufactures; for it appeared that under that policy they were enjoying a state of great prosperity. Now, he should observe that he had never said, nor did he know any of his hon. Friends who had said, that the immediate effect of a free importation of foreign corn would be to injure our manufactures; but he had always maintained, and he still maintained, that it would ultimately lead to such a result. Let the House bear in mind how much more important was our home trade than our foreign trade. The hon. Member for Montrose had said, that one-third only of the labourers of this country were employed in agriculture. That statement might be true, if it merely referred to the number of labourers engaged in the cultivation of the soil. But if the hon. Member would include in the list of labourers connected with agriculture the various classes of artisans who manufactured the machinery and the other articles employed by agriculturists, he would find that that list embraced at least two-thirds of our entire labouring population. The value of the home trade was too apt to be underrated, and the consequence would be, that if they were to destroy the home trade, as destroyed it would be, if they continued the same course of policy, they would find all our towns and villages swarming with paupers, who would have lost their only source of employment; and they would learn, when too late, that they had sacrificed the best interests of the country to a prosperous home trade, which it should have been their aim to have nourished, for an uncertain and precarious foreign trade. He agreed with the hon. Member for Montrose that the agricultural interest had no right to any exclusive legislative favour; that they had no right to any protection which was not extended with equal liberality to the members of every other productive class. For his part, he wished to protect every branch of domestic industry in this highly-taxed country against the untaxed foreigner. The foreigner, who bore no share of our taxation, ought not, in his opinion, to be allowed to compete freely in our markets with our own producers. The protectionist party did not come to that House to ask for a favour, but for simple justice. Will any one deny that taxation enters into the price of every native production? Can a bushel of wheat, or a pound of meat, or a single article be produced, the price of which is not increased by taxation before it can be brought into the British market? Why then should the foreign producer be permitted to come into competition with native producers in our own markets without bearing his due share of taxation? He confessed that he looked with great alarm at the results which were likely to follow from a continuance in our present commercial policy. We had an immense population employed in the manufacture of cotton goods. Now, there could be no doubt but that the people of the United States grudged us the profit which we derived from that manufacture; and who could feel assured that the opinions of their President and of their Secretary of the Treasury might not yet be carried fully into effect, and that they might not impose a tax on the exportation of cotton, for the purpose of destroying that great branch of our manufacturing industry? Then let the House look at the danger of our leaving ourselves dependent on foreigners for our supply of food; for it should be remembered there was a great difference between being dependent on other nations for the luxuries, and being dependent on them for the necessaries of life. In the year 1842 that view of the case had been enforced by the right hon. Baronet the Member for Tamworth in the following most clear and cogent language:—

> "Looking, then, at the question in this point of view, I retain my opinion, which I expressed some time ago, that it is of the utmost importance to the interests of this country that you should as far as possible be independent of foreign supplies. By this I do not mean absolute independence, for that, perhaps, is impossible; and nothing, I think, would be more injurious than to pass such laws as would give rise to a general impression that it was intended to keep this country in absolute independence of foreign supplies. But, speaking generally, I say that it is of importance in a country like this, where the chief subsistence of the labourer consists of wheat, that if we resort to foreign countries for our supplies, we take care that those supplies should be for the purpose of making up deficiencies rather than as the chief sources of our subsistence."

Now, in that opinion he (Mr. Spooner) entirely concurred. Let them look at the present condition of Ireland as an exemplification of the results of their free-trade policy. What was the reason why whole districts were uncultivated, and the labourer at present unemployed in that country? It was because prices had so fallen there that agriculture afforded no profits, no means, for the payment of wages. That was the view of the subject expressed in the very passage read by the hon. Baronet the Member for Cavan, for the purpose of proving that periods of great distress had occurred in Ireland under the protective system; for it was stated in that passage that the diminution of the profits and of the capital of the farmer was the cause of the diminution of employment. He would tell them that a perseverance in their present commercial policy would ultimately reduce the labourers of this country to the unhappy condition of the Irish labouring population. If it were a mere question of rent, as opposed to the welfare of the labouring classes, he should at once say, "Down with rents, and up with the labourers!" But he believed that it was the labourer who would most severely suffer from the depreciation of property; and it should also be remembered that the rent received by the landlord did not remain idle in his hands, but was distributed among servants, labourers, and tradesmen. Let them not decrease the means of affording employment to the people. Let them retrace their steps, or they would find, when it was too late, that they had given up the substance for the shadow. With regard to the commercial and manufacturing population, he had no hesitation in stating that they were at present in a better condition than they had been in for some time past. The price of labour had not yet come down while they obtained the necessaries of life at a cheaper rate than on any former occasion. But he would tell the House that the manufacturers were now receiving no profits, and he feared that before long they would again have their markets overstocked, while they would witness that worst symptom under our monetary system—gold becoming the cheapest article of export, the employment of labour ceasing; and then the manufacturers would be thrown out of employment as well as the agriculturists, and a general distress would be the result. He prayed that Heaven might avert from us those calamities which he solemnly declared he believed to be imminent, after having considered the question, not as a party man, but as one who had a long acquaintance with the commercial transactions of this country. He earnestly hoped that the noble Lord at the head of the Government would take these subjects into his most serious consideration; and that he would not deal with the case of the agriculturists merely as one of "complaints," but as a serious evil, in which the interests of the members of every other class were more or less concerned. One word with respect to the poor-rate returns. They had been told that the poor-rates had last year been much less than in the year 1848; but it should be remembered that the latter year had been a most unfavourable one, and he had every reason to apprehend that a change for the worse could not be far distant. He would state from his personal knowledge of many farmers in Warwickshire and Worcestershire, that the vote of the House on last Saturday morning would spread dismay among the agricultural classes. Many farmers had of late continued to expend their money in the cultivation and the improvement of the soil, in spite of the difficulties with which they had to contend, because they had hoped that Parliament might at length be induced to adopt towards them a different course of policy; but that hope was at present at an end; and he feared the consequence would be that a check would immediately be given to agricultural industry, and that a great addition would be made to the number of the unemployed poor. But they had been told that there could not at present be any depreciation in the value of land, as there were numerous applicants for every farm that was to be let. Now he believed that a good deal of misapprehension prevailed upon that point, and he could state to the House a fact confirmatory of that view. A certain noble Lord had said that he had no fear of his land being thrown out of cultivation, as he had abundant applications for all the farms he had to let. Among those farms was one for which he had fifteen applications; but of these fifteen he found, on inquiry, that twelve had come from persons possessed of no capital, and in whose ability to meet their liabilities no confidence could of course be placed, while the three remaining applicants had each in succession declined to take the land except at a reduced rent, and as no concession to that effect had been made to them, the farm in question still remained untenanted. He would conclude by quoting to the House a passage from Locke, no mean authority :—

> "An infallible sign of the decay of wealth is the falling of rents; and the raising of them would be worth the nation's care—for on that, and not on the falling of interest, lies the true advantage of the landed man, and, with him, of the public."

MR. MONSELL said, he would take the liberty, in the outset, of making a few remarks in reply to the statements of the hon. Gentleman who had just resumed his seat. As far as he (Mr. Monsell) recollected the course of the debate, the hon. Gentleman was the first who had the boldness to assert that the present misery of Ireland had been aggravated by their recent commercial legislation. He entirely disagreed in that statement. [An Hon. MEMBER on the Opposition benches: Why, that is stated in our Amendment.] That might be; but he had not heard the declaration made before by any hon. Member. He would not take advantage of the admissions made by all Gentlemen, as regarded the improving and prosperous condition of the north and east of Ireland. He would go to one of the worst districts in Ireland, a district which he represented, situated in the vicinity of Limerick, and which was in a most miserable and melancholy condition, indeed it would be impossible to exaggerate its condition. The landlords were without rents; the labourers were starving, and the capital of the tenantry rapidly disappearing; but yet he asserted, were it not for the change recently made in their commercial legislation, bad as at present was the condition of the people in that district, it would have been infinitely worse; had it not been for the change in our commercial legislation, under the circumstances, trebly worse. What had been the history of the corn trade in the port of Limerick, in a rich and agricultural district, during the last three years? This, that the imports had greatly exceeded the exports. In 1847, the exports from the port of Limerick were 209,000 quarters, and the imports 472,000 quarters; in 1848, the exports were 295,000, and the imports, 267,000; and in 1849, the exports were 182,000, and the imports 391,000 quarters. If free trade had not thrown open our ports to the admission of foreign corn, the result would have been that in Ireland they would have been compelled to pay an additional price for the excess of corn imported over that exported; the poor-rates would have been higher; and the condition of the country in every respect worse. Previous to the failure of the potato, Ireland was an exporting country; since then she was an importing country, and being so, it was essential that she should get her corn as cheaply as possible. That proved at once how the dependence of Ireland on the potato crop was the result of the protective system. During the continuance of the penal laws the people were not allowed to possess capital. It was, however, the direct interest, of the landlord particularly, when the high protecting duties were imposed, to have the largest amount of corn grown upon his property; and the only way that could be effected was by a minute subdivision of land. The subdivision of land went on—the people living solely on the potato, and never touching corn. There was thus an undue and unnatural stimulus given to the growth of corn and to protection, which he regarded as a main reason why Ireland was sunk in her present miserable condition.

The hon. Member for Dorsetshire described the people of Ireland as extremely happy in 1845. That was the year the Devon Commission made their report to that House, and one of the first statements it contained was—

> "That the agricultural labourer in Ireland continues to suffer the greatest privations and hardships, that he was still badly housed, badly fed, badly clothed, and badly paid for his labour."

In another part of the report, it was stated that their only food was the potato, and their only beverage water; that the cabins they lived in seldom sheltered them from the weather, and that a pig and manure was their only property. It was evident from that report that the labourers and the great mass of the people of Ireland had no interest in protection, and that they never enjoyed any produce of the land except the potato. For his own part, he believed that any change was likely to be for the better, and when the hon. Gentleman spoke of the prosperity of Ireland in late years, he only showed his ignorance of the condition of the country. He begged the protectionists to consider what an amount of evil they were inflicting on Ireland by the course they were pursuing. The agitation on this subject which had been carried on during the last three months in Ireland had done immense injury, by setting class against class—by impeding the progress of improvement, by diverting the people from self-reliance. He implored of hon. Gentlemen to be certain of the soundness of their principles before they decided upon continuing a course which they must perceive was at variance with the best interests of the country.

Colonel THOMPSON had just entered the House when the hon. Member for North Warwickshire was arguing that it was unfair to expose the English agriculturist to competition with foreigners, on the ground that the latter were untaxed. But he (Col. Thompson) appealed with confidence to the House whether it was not the real fact of the case that the struggle was, not between the taxed agriculturist and the untaxed foreigner, but between the taxed agriculturist and the taxed labourer of Bradford and elsewhere, whose trade it was to manufacture goods for the purpose of being exchanged for foreign corn. The question was, whether it was right and just to put the manufacturers of Bradford down to serve the agriculturists? What would be thought of the former, if, because they were heavily taxed, they were to insist upon taxing home-grown corn? His constituents said, "If we are not taxed enough, tax us more, but do not stop our trade, the success of which alone enables us to pay our taxes, which is, in fact, our life-blood —our all." A great deal was said about the encouragement of native industry. Are we not native industry? Encourage that, or, at all events, leave it alone to follow its honest course, without checking it in order to fill the coffers of another interest. The principle advanced by hon. Gentlemen opposite was the same as if they recommended putting a stop to omnibuses in order to encourage the ancient body of hackney coachmen, or putting heavy duties upon the port wine of Portugal, in order to give employment to the glassmakers and gardeners of this country; the result of which on the total balance of the account would only be, that the consumer of port wine would give an increase of price without getting anything for it in return?

Viscount BERNARD was not a little surprised to hear the lamentable condition of the Irish labourer under protection in many parts of the country turned into an argument in favour of the measure lately introduced, for he had yet to learn that the free-trade measures had improved the condition of that class. His hon. Friend the Member for the county of Limerick had stated that the protection meetings had done incalculable mischief, and had set class against class. Connected as he (Viscount Bernard) was, with a large agricultural county, the central town of which had been the first to advocate this protective principle, he utterly denied the statement, for he had met at those meetings men differing in politics, and on all other subjects, but united on this. He regretted that he could not gather one ray of hope with reference to Ireland from the Queen's Speech. The existence of agricultural distress in this country had been admitted; but if the change in the law had produced mischief in England, what must be the aggravation of that mischief in a country already borne down by the pressure of a calamity lately inflicted on it by Providence? He could testify to the fact, that not only the agriculturists, but every class in Ireland, had suffered. He would venture to suggest to the Government that there were ways in which they might materially assist Ireland at the present time, by relieving that country from the enormous pressure of the grand-jury taxation and the poor-law instalments—matters within the province of the Government to remedy. In Cork, the grand-jury cess had increased from 70,000*l.* a year to 130,000*l.*, caused by repayments of the instalments to Her Majesty's Government. He did not complain of these repayments, but thought they were not levied with all the leniency provided by the law. He thought Government would do much towards restoring confidence if they would extend the time for payment of the labour-rate, and the instalments of the temporary relief loan. By a paper presented to the other House of Parliament in July last, he observed that 821,188*l.* 14*s.* was still remaining due for advances under the Temporary Relief Act; and this these unions were at any moment liable to be called on to repay. He believed also that there were auxiliary measures which would confer incalculable benefit on Ireland, such as the development of railway communication. He would ask the Government to give them some measure which would facilitate the formation of railways in Ireland. Why could they not embody in a public Act the Galway Act of last year, and compel the landlords to give land at a fair value? If this were done effectually, he was convinced that railways might be constructed at from 5,000*l.* to 6,000*l.* per mile. He hoped they would bring in a Bill to facilitate the sale of land for such purposes. If free trade was really a benefit, let it be honest. At least, let them afford to the Irish farmer the means of conveying his produce to the best market. The advantage of railways was evident in America, where it had materially developed the resources of the country. Let them look at the geographical position of Ireland, and the sources of inexhaustible wealth she had in her fisheries—these were at the present moment utterly useless, unless some means of communication were afforded by the Government. Again, look at the condition of the labouring classes—was it not most lamentable to see so many ablebodied men in the workhouses, instead of employing them in permanent and profitable works, which would lead to the ultimate prosperity of Ireland. Now, with regard to the land being thrown out of cultivation, he happened to have read a very able letter from the Professor of Agriculture in the Queen's College at Cork. Speaking of the culture of flax, he observed, that it was largely imported from abroad; and if the low price of corn continued, much of the land at present under corn would be devoted to the cultivation of flax. In all probability that would pay the farmer as well; but look at the position in which the country generally would be placed. He had always apprehended the greatest danger from the dependence of any country upon foreign supplies of food, and he had been too lately a witness of its injurious effect in Ireland to alter his opinion. That calamity had been greatly aggravated by the iniquitous conduct of the corn engrossers. He knew an instance of a ship having been twice sold during its voyage to Ireland. They had many instances of the danger of such dependence in ancient history. Let them look at Greece, which, when dependent on foreign supplies of corn, was frequently startled by the reports of ships being lost to raise the price of corn. Look at proud Tyre, which was a suppliant at the foot of a Judean prince for its supplies of food. If they were to have no protection for corn in Ireland, at least let not the agricultural body be the only suffering body in the community, but let something like justice be done to them.

COLONEL DUNNE would not have trespassed on the House but for the statement made by the hon. Member for the county of Limerick, that Ireland was not suffering from recent legislation. The constituents of that hon. Gentleman would, he (Colonel Dunne) felt convinced, be somewhat surprised to hear that their Member had made such a statement; and he was, above all, surprised to hear this statement, when he heard that the hon. Member had himself drawn up an able report on the state of the Newcastle union in the county of Limerick, in which it was shown that it had been much affected by that cause. Had he (Colonel Dunne) not been convinced that the distress of Ireland was owing entirely to the legislation of England, he should not have voted for the Amendment to the Address. The hon. Member for the county of Limerick voted for the rate in aid. Now, there was not a man in all Ireland, except the receivers of that rate, who did not believe that that rate had been deeply injurious to his country; and yet the hon. Gentleman said that Ireland was not suffering from recent legislation. Ireland had been suffering from legislation for the last eighty years; her manufactures had all been destroyed by legislative measures. Upon the understanding that she was to supply England with agricultural produce, and now that market was taken away from them, they were told that Ireland was not suffering from recent legislation. Whatever good free trade might have done in England, in Ireland it had done unmitigated injury. He knew of no part of Ireland which had not suffered. The hon. Gentleman who moved the Address had spoken in glowing terms of the returning prosperity of Ireland. He (Colonel Dunne) did not know where to find it; taking the country altogether, it was his opinion that Ireland was gradually sinking. He would not trouble the House with many statistical details, he would merely quote one or two points. The deposits in the savings banks in 1845 amounted to 2,927,000*l.*, while in 1848, they had fallen to 1,334,296*l.*; the certified circulation was in 1845, 6,354,000*l.*, and in 1848, 3,331,000; the land in cultivation, taking the valuation, had been reduced from 16,250,000*l.* in 1847, to 12,250,000*l.* in 1848. Were these signs of the prosperity of Ireland? The diminution of the number of paupers had been mentioned as another sign of prosperity. It was true that the number of paupers had apparently diminished, but it was only because outdoor relief had ceased to be given, and because the resources of many districts, such as Kilrush, had failed altogether; and it did not follow, therefore, that the same, if not a greater, amount of relief was not required. If the number of paupers had diminished, the expenses of the poor-law had not diminished, and he found that just those parishes which were completely under the control of the salaried Government officials, were the worst off of all. How could it be said that Ireland was not suffering from recent legislation, when the average local taxation of the country had been raised to 8*s.* 4*d.*, while in England it was only 2*s.* 2½*d.*? It was well known also that on several estates in certain parts of Ireland, the debts exceeded the value of the land. He trusted he had said enough to show that the statement of the hon. Member for the county of Limerick was utterly unfounded.

Lord J. RUSSELL said, the noble Lord the Member for Bandon had spoken of the different payments made on account of former advances to railways in Ireland, and suggested that they should be consolidated. That question had been for some time under the consideration of the Government, and he hoped that on a very early day his right hon. Friend the Chancellor of the Exchequer would be able to state the proposition which the Government intended to make. With regard to the wish which the noble Lord had expressed that further assistance should be given to those railways, he hoped the noble Lord would not forget that not only had there been the advance he had mentioned, lately made by the Exchequer Loan Commissioners, but likewise with respect to the trunk lines, both in the south, south-west, and west, there had been schemes proposed to Parliament, and now carried into effect, for the formation of lines to Athlone and Galway, and to Drogheda and Armagh. In the present state of the north of Ireland, with the prosperity experienced by Belfast and the neighbourhood, there would be no difficulty in completing the lines which they had been told last year it was desirable that the Government should undertake. As regarded the general state of Ireland, no doubt there would be other opportunities presented to them of discussing that question. In respect to the statement of the hon. and gallant Gentleman who spoke last, that though there had been a diminution of the numbers relieved under the poor-law in Ireland, there had been no diminution in the expenses, he begged to state that this was an error. He believed the difference of expense for last December, as compared with December of the former year, was nearer 60,000*l.* than any other sum. Comparing the 5th of January, 1849, with the 5th of January, 1850, he found the decrease of expenditure was upwards of 9,000*l.* The hon. Member for Montrose, who spoke early in the evening, addressed several observations to him on the subject of the extension of the franchise in this country. He would not enter into argument, or give any reasons on the subject at the present moment, as his hon. Friend had left the House, but would merely state that it was not the intention of the Government to propose any Bill for the extension of the franchise in England during the present year. The hon. Gentleman and other Members would probably discuss that question in the course of the present Session, and he (Lord J. Russell) would be ready then, as he hoped he should be at all times, to assert and maintain the opinions he held. He should not further detain the House.

Colonel DUNNE wished to explain his statement relative to the expenses of the working of the poor-law. No Member was in possession of the returns, and he had taken the early months of last year, the expenses of which he had doubled, and had thus arrived at the conclusion, which it now appeared, was erroneous.

Mr. SADLEIR said, that his hon. and gallant Friend the Member for Portarlington had wished to represent that there had been no very considerable diminution in the expenditure for the relief of the poor; and the noble Lord at the head of the Government had unintentionally, no doubt, misrepresented his hon. Friend's statement. There had been a diminution in the numbers of those who were receiving outdoor relief, but this was owing to the great waste of human life in Ireland, which he designated as disgraceful. His hon. and gallant Friend might have impressed on the Government that each week numbers applying for outdoor relief were refused it. He held in his hand a letter received from Thurles, in which the writer stated that out of 3,000 applicants, only fifty-eight had been relieved during the previous week. He did not conceive that this was the time for discussing the question as to the wisdom or impolicy of free trade, and he would have wished to see no discussion take place on the policy they had deliberately adopted so recently, and which he thought should have a fair trial. He was anxious, however, that no errors should be disseminated respecting the prospect of renewed prosperity in Ireland. He thought the hon. Mover of the Address was too sanguine in his expectations of immediate prosperity, and that it would be many years before Ireland recovered that position which she held anterior to 1845. It was said that in former times the misery in Ireland had been more intense than it was in the present day, and that misery had been attributed to protection. He was anxious the House should bear in mind that her former misery could be attributed to other causes than protection, and he was astonished to hear hon. Gentlemen assigning protection as a cause. They might remember a time when repeal speeches were answered in that House by a reference to the rapid and extensive improvement of the Irish in agriculture during the palmy days of protection—a fact which had been demonstrated by a former Whig Chancellor of the Exchequer. A free-trade policy must necessarily press severely for the present on all classes in Ireland. No man could contend that they had not in the time of famine and scarcity reaped a benefit from the free importation of food; with the Irish tenant-farmer the question was eminently one of rent, simply because they were without capital. The amount of rent to the tenant-farmer in this country made little difference; but when he found himself with an enormous capital sunk in his land, and with diminished prices, then, indeed, free trade was a serious question with English tenants. The tenant-farmer in Ireland said that if he had a lease, and was at a reduced rent, he could see his way to prosperity; but there was this difficulty in the way of an equitable adjustment of rents in Ireland—large blocks of land were held by nominal proprietors in an excessive quantity, and a greater curse could not exist in any country. Between this circumstance and the, generally speaking, encumbered position of the owner—who, frequently, with an apparent rental of 1,000*l.* a year, had an available income of 200*l.* only—it was impossible to arrive at an equitable adjustment of rent; for to say to such an owner, " Reduce your rents," would be as much as to propose that he should abandon all social distinctions enjoyed as an owner of property in Ireland—it would be as much as to tell him to retire to the workhouse. One of the results of free-trade policy in Ireland was, that the labouring classes were not as well employed now as formerly—for the quantity of land under cultivation and tillage was diminished. Then as to the rate of wages—in fact, there was no rate of wages. He knew ablebodied men gladly work for the cottier tenant for their two meals a day, contented if they could have the additional advantage of sleeping in an outhouse; so that it was folly to talk of 1*s.*, of 8*d.*, or even of 4*d.* a day as the wages paid in Ireland. He could not help observing that hon. Gentlemen who were now so zealous in their advocacy of free-trade policy, and who expressed so much sympathy with the tenantry of the country, were perfectly contented last Session to have those most unjust provisions introduced into the Poor Law Act, which bore so severely upon the occupiers of land in Ireland. He maintained, the advocacy of protection was not exclusively a landlord question—the landlords were interested in everything that interested their tenants—their interests were identical—they were in the same boat. But these Gentlemen silently acquiesced in the introduction of a clause into the Poor Law Act of last Session which had the effect of diminishing the tenant's right of deduction of poor's rate from his rent—and that, when the prices of agricultural produce and of stock was diminishing day by day. A more unfair or unjust clause could not possibly be conceived. As the noble Lord at the head of the Government had left his place, he would press upon the other Members of the Government in the House, the importance of what had fallen from the noble Lord the Member for Bandon, in every sentence of whose speech as related to railways he agreed—namely, that the Government should turn their attention to the introduction of a general Act during this Session to enable railway companies to obtain land by the arrangements secured in the Great Western Act, known as the "Mullingar Clauses," so that existing railway companies in Ireland may have the benefit of the acquisition of the land that they require for the completion of their useful projects. He believed there was no possible way in which the Government could more substantially assist the agricultural interests than by enabling the railway companies to complete the unfinished lines in that country, and affording companies an easy mode for the purchase of the land necessary for their various lines, and by that means put an end to the frightful system of adverse swearing which prevailed so extensively in Ireland with reference to the probable value of half an acre. [The hon. Member read an extract from a report of the expense of the South Western Company, to show that the solicitor's costs for the purchase of land were no less than 45,000*l.*] He (Mr. Sadleir) knew something of this matter, and he had no hesitation in saying that if the South Western Company had the benefit of the Mullingar Clauses to Dublin and Cork, the expense would not exceed 5,000*l.* or 6,000*l.* In that one item alone there was a waste of property to the amount of 40,000*l.* In the investigations about this land, in which a large share of drinking was mixed up and other excesses, the South Western Company had expended 36,000*l.* He should conclude by calling on Her Majesty's Government to grant the necessary facility to those companies by which the evils he alluded to might be averted.

VISCOUNT NEWPORT, not having had an earlier opportunity of addressing the House, considered it his duty to his constituents to express the great regret and deep dissatisfaction with which they, in common with a great portion of the people, would receive that part of Her Majesty's Speech to which the Amendment referred. He rejoiced that the Government had declared that they did not intend to offer an insult to the agricultural interest; but notwithstanding that disavowal, he could not but regret that the Speech had not contained different language. As by a coincidence of circumstances the expressions had not passed Her Majesty's lips, so did he not believe they had proceeded from her heart. The statement of the hon. Member for Buckinghamshire, that the cause of protection was not the cause of the farmers and agriculturists alone, but of all classes, had been met by smiles and ironical cheers from the opposite benches, but he had read the report of a meeting of the operative silk weavers of London, convened by themselves, to consider the rights of labour, whereat several speakers expressed similar opinions amid the cheering of the operatives. A gentleman named Kyd, with whom he had no acquaintance, but whose views, he understood, were not those of the protectionists, but rather of the extreme nature generally called chartist, was cheered by the assembled operatives when he declared that the principle of buying in the cheapest and selling in the dearest market, must be ruinous to the mechanic. Another speaker said, that the alterations made by Mr. Huskisson in 1824 laid, the foundation of the operatives' ruin, and that when waiting, as one of a deputation, on the hon. Member for Montrose, in 1834, on the state of wages, the hon. Gentleman confessed he wished to destroy the weaker interests of the country to force them to ask for the repeal of the corn laws. Thus it appeared that whether that measure was right or wrong, the advocates of it were aware it would ruin the weaker classes of the country twelve years before it was carried. He did not admit the justice of charging the hon. Member for Buckinghamshire with ambiguity of purpose—what he said was, in effect, that though he believed the system of protection to be the fairest and best, yet, as Parliament had by large majorities chosen to enforce the system of free trade, he only called on them to carry it out to its full and legitimate extent, to take the burdens off the agricultural interest, and to remove the duties on malt, hops, spirits, tea, and tobacco, as a matter of principle to which they were entitled. To the best of his belief that was the position taken by the hon. Member for Buckinghamshire, with which the noble Lord at the head of the Government and the hon. Member for the West Riding found fault, but in which he fully concurred. He could assure the Government, if it was any consolation to them, that he had given his vote against them in no spirit of hostility. On the contrary, he would much regret to see them defeated by a combination of parties, in most of whom he could not place political confidence; but he would tell Her Majesty's Ministers that unless they carried out their principles in a fair, just, and impartial manner, by removing the restrictions which fettered agricultural industry, as well as the duties which entered largely into the consumption of the people, they would be compelled by the justice of the people of England to make way for other statesmen who would place the commercial and social system of the country on a sounder principle, and that he believed to be protection to native industry.

LORD C. HAMILTON begged permission briefly to explain his reasons for voting in the minority on Friday night. He had not spoken in the debate, because, having only arrived from Ireland on Thursday, he was too late to speak on that day, and on Friday the House was too impatient and desirous of coming to a decision. He therefore voted, with the determination of explaining at the earliest possible period. The fact was, he liked neither the Address nor the Amendment, and he voted in the minority, not out of any spirit of hostility to the Government, nor in the spirit of the Address, but merely because he felt that the kingdom of Ireland, as an important part of the united kingdom, had not met with the proper respect with which it should have been treated in Her Majesty's Speech. There might have been at least some expression of sympathy for its condition, if no hopes were held out of remedial measures; whereas all that it had met with was a recognition of its deep distress. But even that was glossed over and immediately followed by a jubilation upon the general prosperity of the empire. For that reason he had voted against the Address; but he at the same time did not coincide in the least in the idea that the distress of Ireland was owing to any late legislation—to any of the so-called free-trade measures. For he thought that Ireland could be very prosperous under free trade, if it were not for the unfortunate circumstances that had preceded the passing of those measures. He had listened with pleasure to the most able, eloquent, and winning speech of the noble Lord at the head of Her Majesty's Government; but not one word about Ireland did he hear from beginning to end of it. He could only say that he wished he were as ignorant of her miseries as the noble Lord seemed to be.

COLONEL SIBTHORP said he had been misunderstood by an hon. Gentleman opposite. He firmly believed that protection would be regained.

Report agreed to.

The House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 5, 1850.

MINUTES.] PUBLIC BILLS.—1° Proceedings against Clergy.
2° Registrar's Office, Bankruptcy.

CASE OF LIEUTENANT GRAHAM AND MR. ELLIOT.

LORD BROUGHAM rose to put a question, which he would ask on another day if the Members of Her Majesty's Government, which had no representative of the Admiralty in that House, were not prepared to answer it at that moment. His question had relation to the case of Lieutenant Graham and Mr. Elliot, a master in the Navy, who had been brought before a court-martial last autumn for desertion and misconduct, had been dismissed the service in consequence, and, what was worse, had been declared incapable of serving Her Majesty in any capacity whatsoever. He had always been one of those who were of opinion that, as a general rule, no interference with the proceedings of any naval or military court-martial, or with any part of the discipline of the Army and the Navy, ought to be ever dreamt of by the Legislature; but still there were some exceptions to that rule, and the case of these young officers was one. These young officers bore an unimpeachable character—a circumstance which ought not to be overlooked in awarding punishment. A great error had been committed in the management of their case, they had been recommended to plead guilty of desertion—most unadvisedly, for they had given themselves up to the naval authorities after a short absence, and there was nothing like desertion meditated on their part. They had, however, been so goaded by the oppression and tyranny of their superior officer, Commander Pitman, that they left the vessel lest they should commit, in a moment of passion, some act of indiscipline and indiscretion. Nor was that without sufficient cause, for Commander Pitman had so far forgotten himself as to call Mr. Elliot a liar on the quarter-deck, and had since been tried by court-martial, and found guilty and dismissed the service, not only for oppression and tyranny, but also for having given in fictitious and false accounts. He was confident that if the dismissal of Commander Pitman from the service had taken place before the trial of these two young officers, they would never have been convicted, or certainly not stigmatised as incapable of serving Her Majesty. He now asked his noble Friend opposite whether there was any intention on the part of the Admiralty to extend mercy to these young officers, who bore an unimpeachable character, and were now undergoing their sentence in the Queen's Bench prison?

The MARQUESS of LANSDOWNE, in reply, said he had no official information himself upon the subject to which the noble and learned Lord had directed his attention; but he would take an early opportunity of making inquiries relative to it from his right hon. Friend the First Lord of the Admiralty.

PROCEEDINGS AGAINST CLERGY BILL.

The BISHOP of LONDON moved the first reading of a Bill to regulate proceedings against clergymen accused of holding heresy and false doctrine. This Bill contained a clause to which he wished to call the attention of all their Lordships, and particularly of the learned Lord on the woolsack, before it underwent a second reading. It related to the erection of a new court of appeal in all suits against clergymen for heresy and false doctrine. The ultimate appeal in such cases was formerly to the High Court of Delegates, but it was found to act inconveniently, as the delay and expense of the proceedings were very great; it was therefore thought fit to substitute for the Court of Delegates the Judicial Committee of the Privy Council. That tribunal, however, was not a proper one in questions of church discipline, and was evidently not within the contemplation of those who had constituted it. But it had been found that the Judicial Committee of the Privy Council, of which he desired to speak with the utmost respect, as now constituted, was not a suitable tribunal for the decision of such questions. With regard to appeals under the Clergy Discipline Act, no objection could be taken to the Judicial Committee of the Privy Council; but with respect to the discussion of questions affecting matters of religion, it was quite clear that the Judicial Committee of the Privy Council was not the most fitting tribunal. It was not a clergy tribunal; and at this moment a great number both of the clergy and the laity of the Church felt their consciences burdened by the fact of questions of heresy and false doctrine being ultimately referred to such a tribunal. In another Bill it was provided that no court of appeal, formed out of the Judicial Committee of the Privy Council, should be considered as properly constituted unless one bishop was a member of it. That provision introduced the Church into the tribunal as a member of it. With respect to the cases now brought by appeal from the Court of Arches to the Judicial Committee of the Privy Council, involving points of heresy and false doctrine, it was not provided that either one or more of the bench of bishops should be members of that tribunal; and not only was it not provided that any member of the episcopal bench should sit as a member of that Committee, but no care was even taken that the members of it should be members of the Church of England. It might happen that the majority of the members of that tribunal might be dissenters from the Church; and in that case, which he admitted was not very likely, they would have to decide whether the teaching of a clergyman was conformable to the doctrines of a church from which they themselves dissented. In the Bill now before their Lordships, and which had already been submitted on several occasions during the last three years, he had introduced a clause which he hoped would remedy all the defects of which he had complained. It provided a new tribunal for heresy and false doctrine, and had been framed, after most careful deliberation, by a Committee of their Lordships which sat last Session on the Clergy Proceedings Bill. He proposed only a slight alteration in the tribunal appointed to try these offences. He had always thought—and he still continued to think—that there should be an appeal to the bishop and archbishop, and that there the appeal should end. That would be a strictly church tribunal, and in such a case the conscience of a clergyman would not be wounded by the construction of the court. As far as the Church was concerned, there would be no objection to see the Court of Delegates restored, as that was originally a church tribunal. That would satisfy the Church; and if Her Majesty would allow the Convocation to assemble, to take this single point into consideration, it would create in the Church great satisfaction. He hoped that their Lordships would consider the clause which he had framed with great attention, for this one question—the constitution of the ultimate tribunal of appeal—involved, in a degree which they could hardly imagine, the safety and prosperity of the Church of England.

The ARCHBISHOP of CANTERBURY expressed his concurrence in the observations which had fallen from his right rev. Friend the Bishop of London, and hoped that his proposition for a new tribunal would meet with the support of their Lordships, and trusted that the Bill for its erection would be carried into law during the present Session. The present state of the law on the doctrine and discipline of the Church was acknowledged to be excessively defective; and he must say that it was chiefly owing to the defective constitution of the court of appeal that the Church now stood in a position of some difficulty. It could never be satisfactory that questions relating to the doctrines and discipline of the Church should be submitted to a tribunal of laymen. They ought to be submitted to a tribunal of ecclesiastics, and such would be the constitution of the tribunal proposed by the present Bill.

LORD BROUGHAM approved of the course which the right rev. Prelate had pursued on this subject. He had not been present at the arguments in the great case of "Gorham *v.* the Bishop of Exeter;" but he had heard the echo of them at a distance. Anything which could relieve the Judicial Committee of the Privy Council of such cases would be a great boon to its members, and would be generally beneficial; but whilst the law continued in its present condition, the members of that Committee must perform their duty. Referring to the observations of the right rev. Prelate in favour of the restoration of the High Court of Delegates, he pointed out the great anomalies and absurdities in its constitution, and declared that, in his opinion, it had very properly been abolished in a late reign. The Judicial Committee of the Privy Council was a great improvement upon it. He would give the proposition of the right rev. Prelate, when he saw it, his best consideration.

The LORD CHANCELLOR observed, that it was contrary to custom to discuss the principle of a Bill upon its first introduction. At present the House knew nothing, and could know nothing, of the Bill. When it was printed, he should pay the greatest attention to its provisions, and give his best assistance for his improvement.

The BISHOP of LONDON reminded their Lordships that he had earnestly implored them to give every consideration to his clause when it was printed. His Lordship had previously remarked in a sort of "aside," that he had brought in his Bill at this early period of the Session, in order that it should precede the decision of the Judicial Committee of the Privy Council in a case which had been recently before it.

Bill read 1ª.

MARRIAGES IN SCOTLAND.

LORD CAMPBELL, after recounting the efforts which he had made during the last two Sessions to carry through Parliament a Bill improving the law on this subject, and having mentioned his success in that House, and his failure in the other, reminded the Earl of Aberdeen, who had strongly opposed all his efforts, that he had stated in the last Session of Parliament, that, so great were the evils of the present state of the law, if no one else proposed a measure competent to remove them, he would himself do so in the present Session. He therefore rose to ask the noble Earl when he proposed to lay that measure on the table of the House? To encourage the noble Earl in his attempts to improve the law, he would read to their Lordships a letter which he had that morning received from Berwick-upon-Tweed:—

> "I have been here for some days on a visit to a friend. Hard by I saw advertised in large letters, upon a board, 'Marriages celebrated at Lamberton-toll. For further particulars inquire within.' Yesterday I went to the toll to inquire about the particulars, and found that 300 couples had been married there last year. The ordinary fee was 8*s.* 6*d.*, but sometimes a fee as low as 2*s.* 6*d.* was taken."

The letter writer then proceeded to state a fact with which he thought that the Duke of Wellington, as Commander in Chief of the Army, ought to be acquainted, and that was, that fifty soldiers of the 33rd Regiment of Foot, now in garrison at Berwick, had been wedded within the same time. It was also stated that in the last month five bodies of infants had been picked up on the banks of the Tweed. Such were the evils of this demoralising system. He hoped that the noble Earl would persevere in the plan which he seemed to have had some time ago under his consideration, and that their Lordships would soon find it embodied in a Bill, which he should have much pleasure in supporting.

The EARL of ABERDEEN observed that it was true that he had felt it to be his duty to oppose the Bill for the Registration of Marriages which the noble and learned Lord had introduced in the last two Sessions. In doing so, he had admitted the great extent of the evil to which the noble and learned Lord had adverted, and had stated his anxiety to support any measure which was calculated to correct it. But it was an evil arising from the desire of the natives of England to evade the law of their own country by going to Scotland; and to that extent he joined in supporting the Bill which attempted to put a stop to such a practice. He did not, however, wish the noble and learned Lord to improve the social condition of the people of Scotland with regard to marriage in the way which he had proposed. The people of Scotland were satisfied with their law of marriage—and no wonder—for it was preferable to the law of marriage in England. Last year he had said that he should be most happy, and was most desirous, to see one of the noble and learned Lords in that House introduce a Bill to amend that law, and had referred to a Bill which his noble Friend near him (Lord Brougham) had introduced in 1835, and again in 1846, as one with which he should be completely satisfied. In despair of seeing any of the noble and learned Lords introduce a Marriage Bill with that limited object, he did undoubtedly say that he would himself propose a new one. But he knew the weight and influence of the law Lords in that House so well that he would not introduce such a Bill until he had previously secured the support of the noble and learned Lord near him (Lord Brougham), and also of the noble and learned Lord opposite (Lord Campbell). He believed that he could already reckon upon the support of one of them; and if he could only be sure of the support of the other, he should not be unwilling to proceed.

LORD BROUGHAM thought that the limited measure alluded to by his noble Friend near him did not go far enough; if he would enlarge its provisions, he should be most happy to support it.

RAILWAY RETURNS AND RAILWAY AUDIT.

LORD MONTEAGLE rose to move for some Railway Accounts, as well as to put a question to the Vice-President of the Board of Trade on a subject of no slight importance to the people of England, upon which it was fitting that their Lordships should well consider the course which they were about to pursue. In two successive Sessions their Lordships had adopted the principle that it was necessary to establish an improved railway audit, not only for the benefit of the public, but for the security of the shareholders. In the interval during which that principle had been under consideration, an enormous amount of railway property, consisting of 200,000,000*l.* already invested, and of 143,000,000*l.* more, which the shareholders might be called upon to pay up, had been subjected to great vicissitudes. No other description of property had, he believed, been subject to such great depreciation—the insecurity of this property and the want of confidence in their accounts had led their Lordships to make inquiries into the subject; and by the disclosures which had been made before the Select Committee and before Committees of investigation, they had gained some knowledge of the course which had been, in too many cases, pursued. It was proved that at one period directors of railway companies had not hesitated, in breach of the law, to raise their dividends by a misapplication of their capital. When that became impossible, owing to the exhaustion of the capital itself, other measures were adopted to avert for a time what could not permanently be prevented — the frightful and ruinous depreciation which ensued. If their Lordships would apply their observations to the cases which were most notorious, and would ask themselves whether the inconvenience to individuals, and the fraud on the public, which had occurred in those cases, could have occurred under a correct system of audit, he believed that such a question must be answered in the negative; candid inquirers would agree that such a vicious system would have acted both as a corrective and a preventive; and yet it had not pleased Parliament to afford a remedy for such dangerous frauds and such terrible losses. The misfortune of continuing so bad a system of railway finance was, that those who had honestly discharged their duty as railway directors, were involved in much of the obloquy and suspicion which had fallen upon those who had discharged their functions fraudulently. In the case of the Caledonian Railway a vast capital had been intrusted by Parliament for one specific purpose to certain individual directors charged with the functions created by their Incorporation Act; and yet they had illegally applied from 300,000*l.* to 400,000*l.* to other and quite different purposes. In that case, no imputation rested upon the honesty of any of the parties engaged in the direction. The fact was that they did as too many other directors were in the habit of doing—they took the course they thought was beneficial to the company, but in so doing they acted illegally, and violated every principle contained in their Act. He had introduced in the two last Sessions Bills upon this subject which had met their Lordships' concurrence. They were framed on different principles. His first Bill was only to come into operation on the application of a certain number of shareholders. When this Bill went down to the other House, it was objected to on the ground that the remedy was not a more general measure. It was said, "Make your audit generally applicable, and there will be no objection to pass it." Believing that there was some force in the objection taken, he introduced a general Bill last year, and then the same interest that had objected to his first Bill as special, objected to his second as general. That second Bill also passed their Lordships' House last year, but at a late period of the Session, the reason being there had been a protracted inquiry before one of their Committees, where every railway proprietor had an opportunity of being heard. Witness after witness proved the usefulness of, and indeed the absolute necessity for, a railway audit. Such being the case, his Bill passed almost with unanimity; it was sent down to the other House, where the late period of the Session, and the opposition with which it was menaced, compelled the Government, in whose hands it was placed, to consent to its withdrawal. The Government admitted the necessity of legislation on the subject, and they are reported to have declared that in case the directors of the railway companies did not prepare a measure themselves during the recess, and propose it early in the ensuing Session, Ministers would no longer shrink from the performance of a duty which, though invidious, was most necessary. He, therefore, wished to know whether such was still the intention of Her Majesty's Government? If they did not intend to fulfil their intention, the public might depend upon it that this important subject would not be allowed to rest as at present, without the proposal of some remedy. There was another point to which it was his duty to advert: during the recess it had been very sedulously circulated that a successful attempt had been made in the House of Lords to introduce, surreptitiously and unfairly, into two private Railway Bills clauses for the auditing of railway accounts, thereby seeking to entrap the House of Commons into an approbation of that principle. Now nothing could be more untrue than this suggestion. The intention to propose such clauses was open and undisguised. The clauses were made known to the parties, acquiesced in, and were both carried after some discussion. He denied that there could have been any intention to entrap the other House of Parliament; and the best proof of that assertion was that the clauses in question were taken out of a Bill which had been introduced and passed by the House of Commons, and which was afterwards sanctioned and passed by the House of Lords. Either by mistake, or with intent to delude the shareholders, great pains had been taken to misrepresent the Bill of last Session as a Bill intended to establish a Government audit. The object of the Bill was the institution of an independent rather than a Government audit, as he showed by reference to the Bill itself. Two auditors would have been named by the companies, one only by the Government; and the auditors would neither have possessed a power of surcharge or of disallowance. They were bound to report to the shareholders and directors themselves, who would thus have obtained an adequate security for the truth of the accounts annually made up. To say that it was intended to establish the superintendence and control of the Government, was contrary to facts and the evidence of truth. After moving for some other returns, he gave notice that on a future day he would call the attention of their Lordships to the fact that there were already sixty-one railways in the Private Bill Office, to which they would be invited to give their attention and assent; and upon the propriety of passing which, much, he begged to say, should depend on the character of the respective companies, and to the progress of the Railway Audit Bill. If it should appear that the passing of an Audit Bill were to be indefinitely postponed, he should propose that by a sessional order their Lordships should provide that ten days before any Railway Bill was read in that House a second time, there should be laid on the table the whole financial accounts of the company, together with an account of the amount of its traffic and of the scheme required by law to be made out before the declaration of a dividend; the specific enactment being that no dividend should be declared declaring the amount of the capital stock of the company. Such a regulation would not require from the railway companies any new account—it would only require the production of that account which they were already required by law to produce to their shareholders. If railway companies came to Parliament to obtain powers to raise additional capital, it was not only the right but it was also the bounden duty of their Lordships to inquire how they had expended the capital which they had already been permitted to raise, and how they had exercised the powers which they already enjoyed. He therefore concluded by moving—

> "That the Railway Returns ordered to be laid before the House on the 3rd of May in the last Session, and which have not as yet been produced, be made forthwith."

EARL GRANVILLE had no objection to produce the returns for which the noble Baron had moved, and showed that it was not owing to any fault of the Railway Commissioners that they had not been produced already. As to the question which the noble Baron had asked respecting the intention of Government to introduce a Railway Audit Bill this Session, he must be permitted to make a short statement before he gave any answer. As soon as the Government received information that the Railway Bill of last Session had passed the House of Lords, a deputation of railway directors waited on the First Lord of the Treasury, and announced that it was their intention to meet that Bill in the House of Commons with the most decided opposition. The deputation admitted, at the same time, that the system wanted improvement, and pledged themselves to consider, during the recess, the best mode of improvement. He believed that they had now abandoned their attempt as hopeless, and had determined to introduce a Bill for the same purpose during the present Session. The Government had been carefully considering the whole question during the recess, and would be glad to receive information upon it from any quarter. The Government had also provided itself with information as to all the details of the subject; at the same time it was of opinion that it would be more satisfactory to have a Bill introduced by the railway proprietors themselves. If such a Bill were not introduced by the railway proprietors, or if, when introduced, it should not prove satisfactory, he would then be prepared to state what course the Government proposed to pursue.

EARL FITZWILLIAM was of opinion that neither the Government nor either House of Parliament seemed disposed to go far enough in the legislation which they intended to pursue on this subject. One of the most important considerations for Parliament to undertake, was the relation in which these railway companies and the House of Commons stood towards each other. He was afraid that there now existed in that House a power which that House was incapable to control. His noble Friend had alluded to the vast sums of money which were embarked in railway property, and said that it was the interest of the shareholders, who were so largely concerned in that class of investments, to exercise a strict control over the administration of their property. That was quite true; but certainly it was equally true that, considering the relation in which these companies stand to the country, the Government ought to have a greater control over them than they had hitherto possessed, not only over their financial arrangements, but also in respect to the way in which the public had been and were likely to be served. It was important to observe that numerous as were the railways of the country, they were in the hands of only a very few companies. His noble Friend had spoken also of the general depreciation of railway property, and, according to his mode of dealing with the subject, one would imagine that he conceived that that general depreciation was in a great measure, if not entirely, to be attributed to the malversation of the managers of particular companies. Now, it might be true that such had been the fact to a certain extent, but he apprehended that there were other reasons which operated along with it. The great cause of the depreciation he thought was due to the fact that the country had been saturated with railways; and the directors having, in consequence, been driven to economy, they had made the public service suffer by diminishing the number of trains. Railway property was depreciated, but not from malversation only, for there were some to which the term could not be applied. He begged to say, with reference to the directors of the North Western Railway, that he believed they were as much entitled to the reputation of honour and integrity as any body of men could be. It seemed to him that Government was afraid to exercise that control over railways generally which a due regard to the public interest demanded; but they might depend upon it, if they wished to see the country properly served with railways, they must exercise a much greater control than they had ever yet done. He had not the slightest objection to an Audit Bill; but he repeated that he was quite sure that if the Government wished to put the railways upon a proper footing, they must introduce a most efficient and stringent measure with regard to those in whose hands the means of communication in the country were at present placed.

The Duke of RICHMOND, in reply to one observation made by the noble Lord opposite, as to the fact of the parties declining to rate a certain railway on the ground of its yielding no profit, said, if that principle were to be acted upon, it would be applicable to the farms of this country, for hardly one of them at present yielded to a profit.

Lord BEAUMONT wished to ask, whether it was the intention of the Government to introduce the Bill of last Session, which was to enable railway companies who had not been able to carry out their works for which they had obtained Bills, to wind up their affairs? This was a subject that created great interest at that moment amongst many persons, particularly amongst those who had their money locked up, and it would be desirable if the Government would satisfy the public mind on that head. The difficulty that stood in the way of the Bill of last Session passing, was the absence of a clause giving the right of pre-emption to the former owners of land, from whom the railway companies had purchased it. It would be also desirable if a clause were introduced giving a facility to such parties to purchase the land on either side of the intended railway at a fair and reasonable price.

Earl GRANVILLE was understood to say that it was his intention to introduce such a Bill early in the ensuing week.

On Question, *agreed to.*

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, February 5, 1850.

Minutes.] Public Bills.—1° Royal College of Surgeons, Edinburgh; Irish Fisheries; Bankrupt and Insolvent Members; County Rates and Expenditure; Life Policies of Assurance; Small Tenements Rating; County Cess (Ireland); Real Property Transfer; Benefices in Plurality.

THE POOR LAWS.

Mr. DISRAELI, seeing the right hon. Gentleman at the head of the Poor Law Board in his place, wished to inquire when the report of the Commissioners on the operation of the law of settlement would be laid upon the table of the House?

Mr. BAINES said, that the report was in the hands of the right hon. Gentleman the Secretary for the Home Department, and would, he believed, be laid upon the table either to-night or to-morrow.

Captain PELHAM wished to put the following questions to the Secretary of State for the Home Department: whether Her Majesty's Government had any intention of bringing in any measures for abolishing or altering the laws of settlement and removability, and the treatment of vagrants; for altering the rating for the support of the poor, either in reference to the area of chargeability, or the property to be assessed; or for transferring any of the charges now levied upon the poor-rate to other funds? His second question was, whether Her Majesty's Government will bring in any measure for facilitating the borrowing of money from the State, or private capitalists, by landowners in England and Wales, for the purpose of improving the condition of estates? The last question was, whether Her Majesty's Government intended to bring in any measure for facilitating the sale or exchange of landed property in England and Wales, in settlement, with a view to the relief or mutual improvement of estates, and the better cultivation of the soil?

Sir G. GREY said, that the first question put to him by the hon. and gallant Member was one to which it was difficult to give a very explicit and categorical answer, without being subject to some misconception. The question of the law of settlement had occupied much of the attention of the President of the Poor Law Board, and in a very few days the information to which the hon. Member for Buckinghamshire had just referred, and which had been collected by his right hon. Friend the President of the Poor Law Board, would be in the hands of hon. Members. The annual reports of the Poor Law Board, which had already been laid upon the table, would also very shortly be in the hands of Members, and would be found to contain some satisfactory information with regard to vagrancy. He could only state at present that the Government had no immediate intention of proposing to Parliament a measure on the subject of settlement, but they reserved to themselves the power of doing so if they should deem such a course expedient. The latter part of the question included a very wide field of inquiry. Three notices had already been given by Members upon subjects connected with the law of rating for the support of the poor, and as he would have an opportunity of expressing the views of the Government on the question at a future time, he must decline entering into the matter now. With regard to his hon. Friend's second question, he must remind him that by Acts already in existence, authority had been given for the issue of a sum of 2,000,000*l.* in Great Britain, for the improvement of land by drainage. The whole of that money had been appropriated by the Enclosure Commissioners, to whom the distribution was committed, and a considerable portion of the amount had been issued and expended. He was bound to state that very many applications for further advances had been made and refused, not because the parties did not come within the regulations prescribed by Parliament, but because the sum at the disposal of the commissioners had been wholly appropriated among previous applicants. The Government, however, would reserve for future consideration the question whether any further advances for this object should be proposed. With regard to the third question, by the laws for the settlement of landed property, powers of sale and exchange were already conferred; and by the Enclosure Act, 9 Victoria, c. 118, sec. 147, through the agency of the Enclosure Commissioners, very extensive powers of sale and exchange were given for lands which were to be the subject of enclosure. If further powers were considered necessary, the Government would be prepared to entertain any application which might be made to them on the subject; but he had not received any intimation which led him to suppose that it would be necessary to propose to Parliament any further measure. He had omitted to refer to one point in the second question—whether the Government contemplated any measure for facilitating the borrowing of money by landowners from private capitalists. He might remind his hon. and gallant Friend that the Act 12 & 13 Victoria, c. 100, had been passed to promote the advance of public money for the drainage of land in Great Britain and Ireland, and no representations had been made to the Government, which led him to suppose that that Act was inadequate to the purpose.

KILRUSH UNION.

MR. P. SCROPE wished to put a question to the right hon. Baronet the Secretary for Ireland relative to the recent administration of the poor-laws in the Kilrush union. He wanted to know what truth there was in the statements which he found made by local journals, that in that union all outdoor relief had been stopped on the 8th of December last? Several coroners' inquests having been held on persons who had died of starvation, it was resumed; but on the 19th of January it was again stopped, 12,500 persons having been in receipt of it. Deaths from starvation again occurred on the second stoppage of outdoor relief, and it was subsequently resumed, showing that, in the opinions of the guardians, it was absolutely necessary. He wished also to ask whether it was true that the guardians of the Kilrush union had altered the dietary of the inmates of the workhouse, and had fed them on turnips with half rations of milk? He had seen a statement, that, owing to the alteration in the dietary, the deaths had risen from four to ninty-five in the three weeks ending the 13th of January, and that, at the same time, the number of paupers in the infirmary had increased in an equal proportion. He wished to ask, lastly, whether, considering this mode of administering the poor-law, the Poor Law Board did intend to relieve the guardians of the Kilrush union from the responsibilities of that office?

SIR W. SOMERVILLE was happy that it was in his power to give his hon. Friend's question an answer as satisfactory as, perhaps, he expected, and as it certainly was his desire on all occasions to afford to hon. Members; but it was impossible for him, at twenty-four hours' notice, and not having access here to papers which would have afforded more satisfactory details, to give precise information on the points which had been ennumerated with such remarkable minuteness by his hon. Friend. It was quite true that in December last a large number of persons who were in the receipt of a daily outdoor allowance ceased to receive that allowance in the Kilrush union. This was caused by the want of means on the part of the guardians, the contractors having refused to supply them on credit with the necessary food for those receiving outdoor relief. Through the same cause it was certainly true, that, for a very short time, the necessity was forced upon the guardians of altering the dietary within the walls of the workhouse. During the time for which the daily allowance of meat ceased to be distributed, there was room for several hundred persons within the walls of the workhouse; but there was not the slightest reason to believe that the dietary, though altered, was not perfectly sufficient. He was speaking from memory, and could not exactly say whether or not any inquests were held during the period of the cessation of outdoor relief; but he knew that four or five inquests on persons had been held, the verdict in the third of which was death by starvation. Whether that verdict was borne out by the evidence, he could not say — he had his own opinion on that point; but he remembered perfectly well, that on one of the men who were said to have died of starvation one shilling and sixpence in money was found. His hon. Friend next asked him, whether the number of deaths had not increased during the period for which the dietary had been changed? As far as his recollection went, he should say certainly not. Previous to that time, and during that time, the mortality in the Kilrush workhouse did not exceed, if it was not below, the average mortality in Irish workhouses; but since that period there certainly had been a very considerable increase — he thought nearly double the usual average. He had received no official account whatsoever as to the second stoppage of outdoor relief. The guardians had provided lately a considerable increase to the workhouse accommodation, and he thought it probable that the stoppage had been occasioned in order to alter the workhouse, with a view to the adopting the workhouse test, and thus ascertaining whether the recipients of outdoor relief were fairly entitled to it or not. The last question related to the dissolution of the board of guardians. That board had had very great difficulties to contend with; notwithstanding the liberal advances which were made to them from the rate in aid, a very large debt was left to them by their predecessors on retiring from office. The Commissioners had had reason to complain of the tardiness with which the guardians struck the rates, and perhaps that was the cause of the deficiency in their funds; but, considering that they only acceded to office on the 1st November, and the difficulties they had had to contend with, the Commissioners had not been of opinion that a sufficient cause was made out for depriving them of the management of the affairs of the union.

THE ECCLESIASTICAL COMMISSION.

MR. HORSMAN rose for the purpose of bringing forward the Motion of which he had given notice; affirming the expediency of appointing paid Commissioners for the management of the property under the Ecclesiastical Commission. He had to express his sincere regret that the hopes which he had entertained that the labours of the last Committee would have resulted in a settlement of this question, had ended in disappointment. Though every succeeding day tended to confirm him more and more in his conviction of the necessity of improving the Commission and placing the temporalities of the Church in safer hands; it appeared that the probability of giving effect to that proposition was now more remote than ever, and he was, therefore, reluctantly obliged to call the attention of the House again to the subject. They were all familiar both with the character of the Commission and with its proceedings. They knew it to be a very potent, powerful, and irresponsible body; that it was charged with very important functions, and entrusted with the administration of immense funds. They knew that there was hardly a county in England in which it did not exercise some control over considerable estates, or a parish in England in which its intervention might not affect existing interests. In short, whether the temporalities of the Church, or the most sacred spiritual interests of the people, were taken into account, the Commission held a power more vast, more important, and more irresponsible than had been known in this country since the Reformation. Well, therefore, did it become Parliament to keep an eye upon that power—to define its character, to limit its operation, to regulate its use, and take every precaution against possible abuse; and the more so because it was obvious that from the present composition of that Commission, great abuses of one kind or another must arise. It could not be denied but that the duties of the Commission were of vast importance. The Church was beginning every day to feel more and more strongly that the spiritual duties of her mission were sufficient to occupy the whole time and the whole attention of her dignitaries. When, therefore, they proceeded to load themselves with another set of duties of an entirely opposite character, it was manifest that a portion, at least, of the labours imposed upon them must be neglected; and, consequently, as it became a matter of necessity that a choice must be made between these two incompatible duties, the people were persuaded that the more the ecclesiastical dignitaries confined themselves to the spiritual duties of the Church, and the less they meddled with secular concerns, the better. This conviction was daily becoming more mature among all ecclesiastical parties, and on very cogent grounds. There was one party in the Church extremely anxious to increase the number of the bishops. They said that the duties to be discharged were beyond the strength of the existing prelates. But these parties, earnest as they were, and most laudably alive to the advancement of the Church, were beginning to perceive how utterly shallow and insincere their arguments must appear, when at the very time that they were complaining of the duties being unsatisfactorily discharged in consequence of the smallness of the number of bishops, it could be shown that the prelates were absenting themselves from their dioceses, and giving their attention to secular affairs elsewhere, which laymen could administer for them, and administer far better. The great ground of complaint, therefore, seemed to be not that we had not bishops enough, but that those we had were not labouring in their right vocation—that they were in London when they ought to be in their own provinces—devoting themselves to temporalities in Whitehall, to the manifest neglect of spiritualities in their more legitimate sphere. It was obvious that a deficiency which arose not so much from an excess as from a neglect of spiritual duties, would never be accepted by Parliament as an argument for supplying the deficiency by an increased number of bishops. There was another party, to which he owned that he himself belonged, who considered that, whether the duties were too onerous or too light, still that the pecuniary concerns of the Church Establishment, its vast financial operations, and the management of its estates throughout England, were altogether alien to the functions of ecclesiastics—that it was not a duty, or a seemly office for an ecclesiastic to fill—that he should leave to other men the grosser cares and intricacies of worldly business—that a prelate should confine himself to the chosen field of his spiritual labour, and place himself in close and intimate relationship with his clergy and flock—conscious of the responsibilities of his high office, and devoted to its duties alone—that it was for him to be familiar with the concerns of every parish under his care, cognisant of the character of every clergyman within his diocese, supplying all wants by his energy, controlling all abuses by his vigilance, and encouraging all that was good by his example—that it was for him to live as a father among his people, spreading around him the atmosphere of love, of reverence, and of religion. Such, in its early days, were the Church's notions of what a Christian bishop ought to be. Such they had been in former times; such all should wish to see them again, and to such it should be the earnest desire of every true Christian to endeavour to restore them. But there was a third party, perhaps more numerous than the other two, who, agreeing and concurring with the others in the abstract, yet, fortified by the conclusions of their daily experience, maintained that there was a proved incompetence to the duties which they had undertaken on the part of the Commission, to the enormous injury of the Church finances from mismanagement, and to the scandal of the Church itself from the proceedings of its dignitaries on that board; and that, whether from regard to the spiritual or the temporal interests of the Church, they protest against a continuance of the existing system. They hold that the pecuniary loss to the Church, great as it was, was of very slight value compared with the unfavourable light in which this board placed her hierarchy before the people. When the episcopal funds were first established by Act of Parliament, they were placed under an episcopal board, under the impression that thereby more confidence would be imparted in the Church. It was thought that, under their conscientious keeping, every talent entrusted to them would bring forth ten for the service of the Church and the advancement of religion; but that delusion had long since vanished, and it became apparent that, instead of these treasures of the Church having been entrusted to the safest keeping, it was manifestly in the most insecure custody. Instead of confidence being reposed in the prelates, it appeared manifest that all confidence was destroyed in them; and there were now no men throughout England more anxious that the whole of the episcopal bench should retire from the Ecclesiastical Commission than the great body of the English clergy, who had become unhappily conscious that the appointment of the present dignitaries had resulted neither in the promotion of the interests of the Church, nor of their own credit. Such being the general opinion, he should have thought that there could be no difficulty or hesitation in giving effect to it, especially when supported by the recommendation of the Committee to which he had already referred. But it seemed to have been ordered otherwise; it seemed that the hearts of the Ecclesiastical Commissioners were still hardened — that they were still determined, not without a struggle, to let go their grasp on the Church's funds. But he was ready to appeal to justice, and to the sense of public duty entertained by that House, while he asked them to give him their attention, for a short time, while he proceeded to show, from the statements of the Ecclesiastical Commissioners themselves, what the system was which they carried on, how far they had justified the confidence reposed in them, and how unreasonable, how indefensible — he would not use a stronger term — and how unwarrantable were the claims which they now put forward to still further abuse both the interests and the patience of the public. The Ecclesiastical Commission had its origin in 1836—that is, previous commissions of inquiry had been issued in 1835—which had made reports, and submited certain recommendations on the question of the ecclesiastical establishments; and, in 1836, the same Commission was continued, with instructions to give effect to, and carry out, their own recommendations. That was the origin of the present Commission. It consisted originally of thirteen Members, but the smallness of that number gave great dissatisfaction in certain quarters. The Bishop of London, who was a witness before the Committee, and who had certainly shown no disposition to expose the frailties of his brethren, assigned a very vague cause indeed for that dissatisfaction. He stated that only five of the members of the episcopal bench were on the Commission, and that that was not considered to be an adequate representation of the Church. But the popular version of this dissatisfaction was more ample and more communicative. It pointed to the nature of the Ecclesiastical Commission—how great were its powers, how very convenient, in many respects were its opportunities. These Commissioners were charged with great powers, not only as affecting in great matters the interests of the Church at large, but, in many small matters, the interests of bishops in particular. All matters of allowance, or compensation, or loans, and other points affecting the interests of existing bishops, were ruled by them. They had to decide what future bishops were to pay money to the Ecclesiastical Commission, what they were to receive, and in each case how much; also, they were to say what prelates were to be permitted to sell estates, who were to build palaces, and how much of the Church's money was to be given for these purposes. In short, various things, affecting the Commissioners themselves, were to be ruled absolutely by that board, and a seat at its councils thus came to be looked upon as an important thing. The excluded prelates were not prepared to say why a small portion of the number should monopolise all the prizes, and an agitation commenced for an extension of the Commission. Whether this account of the matter, generally circulated and accepted at the time, were in all respects correct or not, of this at all events there could be no doubt, that an agitation had been got up which waxed very fierce and very formidable, so that at last the minority were compelled to give way—the doors of No. 5, Whitehall-place, were thrown open, when the whole episcopal bench rushed in, and the wonder was, why the deans and other dignitaries did not als ocontrive to gain admission. As it happened, only three deans got appointed; but the constitution of the Commission became greatly altered in consequence of those changes. Formerly it consisted of eight laymen and five ecclesiastics; it was now constituted of twenty-nine ecclesiastics and twenty laymen. In fact, it became practically an ecclesiastical board—and the worst of all ecclesiastical boards—namely, one composed of only one order of ecclesiastics. The parochial clergy and their congregations were not at all represented on the board, and the result was seen in the proceedings which had taken place. The poorer pastors were left half starved, and their congregations untaught; whilst vast sums of the church treasure were squandered on the luxuries and palaces of their mitred rulers. The transaction of business was not facilitated by this enlargement of the board; and, as if to make confusion worse confounded, it was provided that there should be no permanent chairman at the meetings of the board, the rule being that the Commissioner highest in rank present should always occupy the chair, but only until one of a higher rank came in; so that the Commission was formed under a junior bishop, who was hardly warm in his seat before a senior bishop came in and deprived him of it, who had again to leave it when an older bishop entered; so that there could be nothing like permanency in the proceedings until the Archbishop of Canterbury came in and took precedence of all others. Now, he should like to know how the business of that House could be carried on if the rule were that the oldest Member present should always occupy the chair, and if their president were to be altered every ten minutes, and no fixity of tenure allowed until the father of the House came in? And yet this system of conducting business was considered so wise as not only to be sanctioned as a rule of the board, but actually to be made the law of the land. It was found extremely inconvenient under such a system to carry on matters of detail with so large a board, and, accordingly, in order to expedite business, they determined to refer particular subjects to Select Committees. But how was this carried into effect? In that House, Select Committees usually consisted of a very limited number of Members, while all persons having a personal or pecuniary interest in the inquiry were excluded. But the system of the Ecclesiastical Commission was in every respect the reverse of this. He found, by returns in the tables of the appendix to the report, that the average attendance of the board was ten, and yet the first Committee appointed by them consisted, not of less than ten members, but actually of twenty-three. The Estates Committee had twenty-three members; the Districts Committee, which was next appointed, had twenty members; the Episcopal Incomes Committee fourteen members; and the Finance Committee thirteen members. In short, there was not one of the committees that had not a greater number of members than the average attendance on the board, the largeness of which they were intended to correct. But, in addition to this, the board had no idea of adopting such an innovation as that of excluding persons who had individual interests in the cases investigated. On the contrary, when business affecting any one bishop was to be carried on, he was especially favoured with a summons to attend, and he was allowed to speak and vote at the deliberations exactly as if he were a member of the committee. Not only that, but any member of the episcopal bench could attend any committee, even though not a member of it, and vote and act as the regular members; so that the committee could at any time be swamped and outvoted by persons who were not nominated on it at all. After some months of consideration on the subject—and at the risk of being considered dull and thickheaded—he had not been able to realise to himself what the value of these committees was. The Bishop of St. Asaph had told them that it enabled a bishop familiar with any subject to guide the deliberations and decision of the committee; and the Secretary to the Commission stated that it was a matter of arrangement among themselves, that when any bishop took up a particular question, he, as the secretary expressed it, "worked it through the committee." And there could be no doubt but that where the interests of any bishop were concerned, he had, in some instances, "worked it through" in a most peculiar manner. He did not know whether, in the most palmy days of Toryism, the "working-through" system had been better understood or more vigorously carried out than on the Ecclesiastical Commission. The House would no doubt imagine, after what he had described, that the business of the Commission was not well carried out, but they could not possibly be prepared for such a picture of carelessness, incompetence, and waste, as the revelations of its own witnesses exhibited by the regular valuator of the Commission! What did the House think of large church estates being sold without any valuation having been taken? What did they think of large estates having been bought without the common precaution of a survey? What did they think of works being executed without the Commissioners' own architect giving any estimate of the expense? or what did they think of surveyors, architects, and other officers, being employed under the Commission for years without any arrangement whatever being made with them as to the remuneration which they were to receive? Accordingly their charges, when made, were disputed. Payment was delayed; and from the time of their appointment down to the period when the committee made their report, no settlements of the accounts had taken place. And though a great effort was made to accomplish something that might be called a settlement before the report of the Commission came out, there was no evidence to show that even this was not accomplished by a further sacrifice of the Church's money, in satisfaction of what had been already deemed unreasonable demands. Now, considering the sacred purposes for which the funds were destined, such manifestly unfaithful guardianship was highly reprehensible. It should be remembered that it was the treasury of the poor that these Ecclesiastical Commissioners had squandered and exhausted. Nor was it necessary that he should bring home to them any intentional mal-administration or mal-appropriation of funds. He would say nothing on that head, either of condemnation or acquittal. It was sufficient for him to show that the attendance of the bishops at the board of Ecclesiastical Commissioners so constantly and regularly as to obtain a proper knowledge of the business of the board, was wholly incompatible with the discharge of their ecclesiastical duties. It had been said that they attended only when something relating especially to themselves was going on. To a certain extent that was true—the majority of the bench could only give an occasional attendance, and it became, not unnaturally, an interested one. The board met only once a week, and business was then gone through sufficient for a month. It was impossible for the Commissioners under such circumstances to understand the business. The Bishop of London said, that there was only one person perfectly and sufficiently acquainted with the business of the Commission; and that one person was the Secretary, who became practically the whole Commission. He (Mr. Horsman) felt that he owed some apology to the House for having dwelt so long upon the composition and management of the Commission, without having before alluded to its most important functionary, the Secretary. Now, however, it was necessary that he should inform the House that the Ecclesiastical Commissioners had a secretary, or rather that the secretary had a board of commissioners; for he was the sun round whom the whole system revolved. It was with him not *Ego et Rex meus*, but *Ego et Episcopi mei.* He had been from the commencement in head—in heart—in authority and in action the whole Commission. Everything was done by him. Did any one want to see the Commissioners? He could only have an interview with the secretary. Did any one want to write to the Commissioners? The letter went through the secretary. Did any one send a communication to the board? It was opened by the secretary, who made it known as he thought fit. He arranged the business—he framed the orders in council—he drew the Acts of Parliament—he selected the subordinate functionaries and employés. He was omniscient, omnipresent, and peripatetic. Nothing could be done without him. Did a prelate wish to sell an estate? He managed the order in council. Was another to build a palace? He found the cash. Had the Commission got into a scrape by what is vulgarly temed a job? The secretry "made things pleasant." Was Parliament to be mystified as to episcopal incomes? The secretary "cooked the accounts." Was there a debate in the Lords? The secretary culled the facts for the archbishop. Was an awkward question to be asked in the Commons? He prompted the Prime Minister. He never gave notice of any question which he was about to put to the Minister in the House, but he saw on the following morning the usual paragraph in the newspapers, under the head of Court Circular—"The Secretary to the Ecclesiastical Commissioners had an interview yesterday with the First Minister at his official residence in Downing-street." He wished to speak of the secretaryship, as it had an inevitable tendency to become, under the trials and temptations of such an office, so circumstanced, rather than of the individual in his individual capacity who lately filled it. It had been said, that the history of nations was the history of the celebrated men whom they produced. And of the Ecclesiastical Commission it might in like manner be said, that its history was the history of its first and hitherto only secretary. He was the whole Commissioner, and now he would show what a dignified body it had been, or rather what an undignified body—what a caricature it had been of imbecility and helplessness, in the hands of its own subordinate. As he had before said, the Ecclesiastical Commission had property in every diocese in England. It had a great deal of business necessarily connected with that property, and especially of legal business. And the responsibility of all this business devolved upon the secretary. And he was vested with a large discretion in the appointment of gentlemen to fill the important and lucrative offices of solicitor and counsel to the Commission; and the first proof of undoubted genius which he gave was in filling all these posts with his own relations. The hon. Member for Malton was the first who found out and called attention to the fact, that he was on one occasion plunging the Commission unnecessarily into litigation; and he imagined that he discovered a family interest in the excitement to litigation, for when the case came to be considered, there was a gathering of the whole clan Murray. There was, first, Mr. Charles Knight Murray, who, representing the Commission, appeared as promoter, and really plaintiff in the cause. Then there was Mr. Murray *secundus*, attorney or solicitor; and then there was Mr. Murray *tertius*, who made his appearance in wig and gown as counsel. Now, seeing that the disputes in such a business as the Commission must be numerous, and the wear and tear on the secretary most cruel, they could not be surprised at his calling in, to share the responsibility and the emolument of the office, those on whom his heart could best rely. He exhibited in that respect only a weakness which had possessed many great men in all times and countries. But the question for the House to ask was this—was there or was there not any truth in the suspicion that the secretary of the Commission plunged it into litigation for the purpose of aiding his own relations? That question was not fairly investigated. No one could doubt that it was not properly investigated before the Commission. But the secretary was a very fortunate as well as a very active man. He found friends where he did not know them, and his virtue was rewarded where he least expected it. A most remarkable instance of this occurred with regard to the tenure of his own office. In the year 1836 he was appointed secretary; but when he came before the Committee of that House two years ago, he astonished the Members with the announcement that he was not the servant of the public, holding his office at the public pleasure, but that he held it by Act of Parliament during his life. It then appeared, that in an Act that was passed in 1840, to carry out the fourth report of the Commissioners of Church Inquiry with regard to cathedrals and collegiate churches, and which had no more to do with the secretaryship of the Ecclesiastical Commissioners than with the beard of the Great Mogul, a clause had been inserted, by which he was appointed treasurer and secretary, and his tenure of office changed from being "during pleasure" to "during life." How that extraordinary change happened, no one had the least idea or means of telling. The Bishop of London, who was next in authority and omniscience to the secretary, knew nothing about it. The secretary himself was as innocent as one of his own babes. The idea of converting his terminable appointment into a perpetuity, had never been mooted at the board, or apparently entered the mind of a single Commissioner; yet so it was. Words had been slipped into the Act, in one of its very latest stages in the House of Lords, which conferred the office of secretary for life; but how it came there, or by whom inserted, remained as much a mystery to the secretary as to the Committee and to the world; and to the present moment that gentleman was in a painful state of ignorance as to the identity of his unknown benefactor. This was another instance of the business-like capacity and vigilance of the episcopal board; but it was trifling in comparison with what he had now to tell. He begged to call the attention of the hon. Member for Montrose to what he was now about to say; and if it did not make every hair on his head stand on end, he was no longer the man he used to be. What would the House and the hon. Member for Montrose think when he told them that this board of episcopal trustees, charged with the administration of large funds—of enormous funds—which were destined to be applied to the most sacred of purposes, took no cognisance whatever of the receipt or disbursement of those immense sums of which they stood charged as the recipients? Yet such was the fact. From 1836 to 1845 they kept no accounts. They had no knowledge. They exercised no supervision. They asked no questions. They instituted no control. They had no audit of the immense sums of money that went into or were taken out of the funds entrusted to their charge. Such was actually the fact from 1836 to 1845. He saw a right hon. Commissioner opposite shake his head. But on what authority was he making the statement? On the evidence taken before the Committee of the House. He took the fact from the evidence of the omniscient secretary himself, given before the Committee. He said before the Committee, that during the whole period he had mentioned, all the moneys received were paid into his bankers to his private account; and all the moneys paid out by the Commissioners were paid by his own private cheques. And having in that manner received all the proceeds into his own hands, and paid all disbursements by his own cheques, and all this without any supervision, control, or questioning whatsoever by any party, the balance remaining, if any did remain, which could be known only to the secretary, was paid into the account of the Ecclesiastical Commissioners in the Bank of England. But of course, under such a system, the balance was likely to be small. It turned out that there was none worth mentioning. The extravagance of the Commissioners and the dexterity of the secretary took care of that. So that during the whole of the time that he had mentioned, all the monies of the Ecclesiastical Commission were left entirely at the disposal of the secretary to do what he pleased with; and the sums which passed thus through his hands during those nine years, for one purpose or another, could not amount in the aggregate to much, if at all, less than 1,000,000*l*. Such was the system till 1845. No thanks to the Commissioners that the same system did not remain in operation until the year 1850. But in 1845 the secretary said that a new system had been established. It was owing to an accident that that new system was founded. It turned out that the reason was this: the hon. Member for Paisley asked, in the year 1845, for a return of all parties subscribing to railway companies for sums above 2,000*l*., and amongst the parties so returned, the secretary to the Ecclesiastical Commissioners figured for no less a sum than 580,000*l*. That extraordinary fact was brought under the notice of the Ecclesiastical Commissioners, and they then seemed for the first time to become aware of the extraordinary and unlimited power which the secretary had over their funds; and then it was that another mode of making and receiving payments was adopted. But it was only in consequence of that accidental discovery that the new mode was adopted, if indeed it were adopted at all. He said if it were adopted, because if in the carrying out of the new system of check or audit, the exercise of the check upon himself were confided to the secretary's own hands, it was quite clear that its object was entirely defeated, and its establishment was altogether delusive. But now he begged the House to pause and reflect for a moment on the danger and the immense injury to the Church which that system, so long and uninterruptedly pursued, invited. Only let them consider what that fund was, and what was the object for which it was created. It was a great national provision for the purest of all national purposes. Parliament had been suddenly aroused to the conviction that it had been long and lamentably negligent of the spiritual instruction of the people, and in the uncultured state of its wild and untaught masses it saw at once a peril and a reproach. The conscience of the community had been awakened, and the necessity of an effort being made to reclaim their neglected millions from infidelity and turn them to Christianity, had been recognised and acknowledged. The darkness of vast heathen localities had become the theme of many a meeting, and the burden of many a pulpit, and Christians of all denominations girded themselves to the new and holy enterprise. The never-tiring zeal of the Dissenters spurred the activity of the Establishment. Our laymen stimulated one another. Our busiest merchants gave their time and their money, and many members of their families rejoiced in the occasion to devote themselves to that lofty and laborious work. The clergy toiled with redoubled vigour, presenting a happy contrast between the present generation and the last. The bishops themselves handed round the begging-box, and stimulated the laity by their alms and exhortations. The effect was incredible. Since that Act had passed that House fifteen years ago, at the commencement of Church reform, more had been done for the spiritual advancement of the people than had been done during a century before. Churches had been built, and congregations had sprung up as if out of the ground—the character of whole localities was changed—peace and tranquillity took the place of riot and sedition; and the accents of prayer and thanksgiving had been heard where all before had been blasphemy and profaneness. The work was blessed. But the fountain-head, as far as material means could go, of all its blessedness as a great social and spiritual revolution, was intended to be that great reservoir of wealth, of which the Legislature had made the dignitaries of the Church the guardians in Whitehall. There was the spring—the stay—the strength of all these isolated and self-directed efforts. Every individual exertion was to be met by a proportionate grant from the parent institution. Every local movement was to be sustained by that arm. There was to be the life of every enterprise—the centre of every organistion—all for that object which possessed the minds of so many good men. For the furtherance of that single prayer, that its own poor might have the gospel preached to them, there was, in the creation of that national fund, well guarded and well distributed, a source of usefulness more inexhaustible and more blessed than any that human agency could decree. With the full knowledge of all this, Parliament deliberately, advisedly, and solemnly placed the administration of those ecclesiastical funds in the hands of the highest dignitaries of the Church. With the full knowledge of the solemn duties attached, these dignitaries not only accepted but claimed the guardianship of these funds. They claimed it as in accordance with the nature of their high office. They claimed it as a fund so precious that only in the hands of the dignitaries of the Church could it be safe. A part even of the episcopal bench was not considered good security—the whole body was admitted to share in that holy guardianship. Laymen were not to be trusted. Laymen of the highest character, selected with the greatest care by the Ministers, and surrounded by all those guards and securities which experience has rendered efficient in our public offices—even such a board is, at this moment, scouted by the dignitaries of the Church. And yet they, having by this excess of zeal got the fund into their hands, carelessly and unscrupulously cast it, as if the souls' welfare of a whole people were of no more account with them than so much dirt, not to a board of selected laymen, but to a single layman—a man of no public standing—a subordinate in their own office, and without a single one of the precautions against fraud or injury which any man of common sense, or common feeling, or conscience, would be ashamed to dispense with in the affairs of his humblest neighbour, who had entrusted his interests to his keeping. And the House would not be surprised to find that from such a system, or rather from such an absence of all system, from such a mode of carrying on business, the usual consequence had followed. His history of the Ecclesiastical Commission was happily drawing to a close. It was not a very grateful subject for a churchman to dwell upon—it was rather a humiliating one. He had only now to state these two additional facts, which completed the catastrophe which every practical and experienced man in the House must have anticipated as the natural result of business ill administered, and confidence much misplaced. The two facts were these:—About three years ago it was intimated to the public that the Ecclesiastical Commission was bankrupt; and about three months ago it was notified to the First Minister of the Crown that the secretary had run away with all the money he could lay his hands on. Now, that catastrophe appeared to him as much a matter of course, and as inevitable, as the happy conclusion which usually winds up a novel. The two matters—the bankruptcy of the Commission and the running away of the secretary—need not astonish any one who knew the world, or knew the Ecclesiastical Commissioners. But he believed that the latter untoward event, the elopement of the beloved secretary, had thrown his episcopal friends into a state of great consternation, and the shock had been even felt over the way, in Downing-street. But of the circumstances connected with the last occurrence, the public had as yet very little knowledge. The circumstance of the elopement of the secretary had been kept secret, most secret. No successor had been appointed as yet, and not even a vacancy declared; but the public had learnt, through the usual vehicles of public intelligence, that a large sum of money had disappeared, and that the secretary and treasurer of the Ecclesiastical Commission had disappeared along with it. He would take that opportunity of asking the noble Lord at the head of the Government, or perhaps the right hon. Gentleman who usually took the management of ecclesiastical affairs in the House would inform him, whether it were true that the late secretary and treasurer of the Ecclesiastical Commission had left the country? Whether or not he had created defalcations in the funds of the Commission? What was the amount of those defalcations? Whether any steps had been taken to recover the money from the late secretary, or from any other parties? And, if recovery from him were hopeless, whether the Ecclesiastical Commissioners had asked to be allowed to make up the loss out of their own pockets? The circumstances which he had stated, except the last, which was of very recent occurrence, he had taken from the evidence given by the Ecclesiastical Commissioners themselves, or their subordinates, before the Committee of the House of Commons; and he begged now to draw the attention of the House to the character and proceedings of that Committee, for they were extremely important. That Committee was nominated, by an arrangement, as he had been given to understand, between the hon. Gentleman the Member for Malton, who moved for it, the Government, and the Ecclesiastical Commissioners. And when it was first appointed, it was granted, as he had been informed, upon two conditions. That, however, he was not competent to assert positively, as of his own knowledge. He merely said that he had been so informed, and he spoke in the presence of those who could correct him if he were wrong. He was told that at the time of its appointment, it was understood that it was granted upon these two conditions. In the first place, it was to be taken without discussion; and in the next, the names of the members appointed to form it should be submitted to the Archbishop of Canterbury, and were to be approved of by him. As to the first of these conditions, he was in great doubt. As to the second, he believed he was correctly informed. [Mr. J. E. DENISON expressed dissent.] Did the hon. Member for Malton mean to say he was wrong in both? The first condition was immaterial; but as to the second, unless he heard a distinct contradiction to the fact that night in the House, he should say that he had fair grounds for believing it. And he was much surprised to hear the hon. Member for Malton cast any doubt upon it. But, at all events, he spoke under correction. He could have no knowledge of the facts himself. But he believed, to the present moment, that the Ecclesiastical Commissioners, or parties acting on their behalf, had the names of the Committee submitted to them, and were parties to their appointment upon it. But of this fact, at all events, there could be no doubt, that every Ecclesiastical Commissioner in the House was placed upon the Committee. Charges were made against the Ecclesiastical Commissioners. A Committee was appointed to investigate those charges; and five Ecclesiastical Commissioners were named upon the Committee, as judges, to conduct the inquiry into their own proceedings. He stated that fact as a most important one. He was not complaining of the fact—he was stating it for reasons which the House would immediately perceive. The right hon. Gentleman the Member for the University of Oxford was on the Committee. The noble Lord the Member for Hertford was also a member. Two Cabinet Ministers were members of it; and its chairman, who drew up the report, was the brother of a prelate. In short, that Committee (and that was what he was anxious to show) was composed of gentlemen of high standing, great experience, and established character and influence in the House. It was also composed of Gentlemen whom no one could possibly accuse of being unfairly disposed towards the Commissioners. If any one could accuse them of views of any particular tendency or bias, it must be of bias to the side of the Ecclesiastical Commissioners, and not against them. Well, then, the Committee so constituted conducted the inquiry through two Sessions. They then come to a unanimous resolution condemning the management of the Ecclesiastical Commission, and recommending the appointment of paid commissioners to take charge of the temporalities under its control. That was the unanimous report of the Committee. There was another question respecting the number of paid commissioners, about which they were not quite so unanimous. They were unanimous as to the payment of the commissioners, but their number was a subject of some difference in the Committee. He was present and took part in the discussion, and he believed the feeling of the Committee was nearly unanimous, even for the resolution. But the right hon. Gentleman opposite, the Member for the University of Oxford, and the hon. Member for Huddersfield, differed as to the proper number of paid commissioners. Five Ecclesiastical Commissioners were present; they gave strength to the unanimity of the Committee as to the propriety of appointing paid commissioners. Two of them were also Cabinet Ministers; and on a subsequent day one of those Cabinet Ministers voted for the appointment of three paid commissioners. The right hon. Gentleman who was more directly engaged in the carrying through of Ecclesiastical Bills was not present; but as he had voted for the first part, namely, the recommendation of paid commissioners, he (Mr. Horsman) presumed if he had been present, he would have voted for the second arrangement. However, the

Committee agreed as a whole upon the appointment of three paid commissioners, in whose hands the management of the temporalities of the Church should be placed. And this was the point of difference between the Committee and the episcopal bench. The Bishop of London had always wished to have one paid commissioner appointed by the Government, to be added to the unpaid commissioners. The Committee wished to have three. He (Mr. Horsman) felt very strongly that the Bishop of London would have more power given to the bench of bishops by his proposition than they had at present; for all the power which now exists would then be left in the hands of the bishops, but all the responsibility would be thrown upon the one paid individual. If, on the other hand, there were a board of three paid commissioners, they would supersede altogether the commissioners of the episcopal board; and there would be also the very important improvement that, instead of having only one board day in the week, and persons calling upon any other day finding none but subordinates to give them any information, there would be principals always present, and any person could communicate at once with the responsible persons, as in all the other departments of the State. This was, therefore, the difference between the resolution which he had moved, and that proposed by the members of the episcopal bench. They wished to retain the power in their own hands, but to have an additional functionary added, on whom the responsibility should be thrown; while he and those who thought with him wished to supersede them in their power, as regarded the pecuniary affairs of the commission, by the appointment of three paid commissioners. That being his object, he brought forward his present Motion for this reason; because the view which he had taken being the view of the Committee and of Government—being at least the view which was voted for by one Member of the Cabinet, and approved of, as he supposed, by the others—it being also obvious that there was another party attempting to defeat the recommendations of the Committee—he had been fearful lest the Bill which had been last year introduced should make its appearance again. He would, therefore, state the position in which they would find themselves should that contingency take place. It had been already agreed that three paid commissioners should be appointed, one to be nominated by the Archbishsp of Canterbury. To that arrangement, he, acting with the other members of the Committee, had agreed; but his agreeing that one of the three commissioners should be nominated by the Archbishop of Canterbury, was quite different from the archbishop nominating one out of two; and yet, when the Bill came into the House, it appeared that such was to be the privilege of the archbishop. The promoters of this arrangement affected to take the management of the estates out of the hands of the Commissioners by means of an Estates Committee. Now, what was the composition of that Committee? It consisted of eight members—four of them nominal and irresponsible, and four working members. Of the first class were the two Cabinet Ministers, who could not of course be expected to attend to the duties of such business, and two unpaid laymen, who were not likely, as universal experience had proved, to devote much of their time to the duties of this office. Four working members were therefore left. Who were they? Why, two paid commissioners, one of them appointed by the Archbishop of Canterbury and two bishops. This, then, was the actual board. The two bishops, selected by the bench of bishops, were likely to give a pretty close attendance, and from the archbishop's commissioner a pretty sedulous attendance would be expected likewise. Therefore, there were the two bishops and the archbishop's commissioner against the Government commissioner. How was it possible for any Bill to be introduced to the House more at variance with the object of the recommendation of the Committee, and more wisely devised to give more power to the prelates than they had before? He had been anxious, therefore, not having heard of any measure to be introduced, to secure a declaration on the part of the House as to whether they were prepared to support the recommendations of the Committee, and he asked them to consider in what form the question came before them. This Commission had not exercised efficiently one single duty. As trustees of public monies, the trust had at one time kept no accounts—had no checks, and no audit. As guardians of church estates, they had trifled with the responsibilities of guardianship, selling lands without any authorised valuation, buying large estates without any previous survey, and employing agents and subordinates without any stipulation or agreement as to terms of remuneration. Their orders in council were framed upon incorrect statements. Into their Acts of Parliament provisions were smuggled of which they had no knowledge. They had given great dissatisfaction to the clergy—they had inflicted great loss and injury on the Church. Places of worship had been built in many populous districts in reliance upon their aid; but they were bankrupt, and could not fulfil their obligations. Their chancellor of the exchequer had run away with the money; and, to sum up all, a Parliamentary Committee, composed of their own friends, and examining their own witnesses, had not had one word to say in their favour; but, passing a vote of censure on their proceedings, had unanimously recommended a change in their administration as indispensable to the interests both of the Church and of the public. He would not weaken the effect of these facts by any comment of his own. He knew not what official answer they might receive, but he believed that the duty of every man in that House was very plain, and not to be mistaken; and that whatever might be the character in which they professed to act here, whether as guardians of the public interests, as protectors of the poor, as upholders of our ecclesiastical institutions, or as friends of Christianity, and of all which could advance its blessed progress — they were called on, promptly and efficiently, by a declaration of opinion which could not be mistaken, to put an end to a state of things alike discreditable to the Church, and injurious to the interests of true religion.

Motion made, and Question proposed—

> "That a Committee of this House, to which was entrusted an inquiry into the composition and management of the Ecclesiastical Commission, having recommended the appointment of three paid Commissioners for the management of the property under the Commission, it is expedient that effect be given to that recommendation."

SIR G. GREY said, that he would not follow the hon. Gentleman through the history of the Ecclesiastical Commission, which he had stated this evening with greater accuracy than on former occasions. The original Commission was, as the hon. Gentleman had clearly stated to-night, a Commission simply of inquiry, and limited to a small number of members. To the present Commission was confided the duty, not of inquiry, but of the administration of funds in accordance with rules laid down by Act of Parliament. Now as to the composition of the Commission, he (Sir G. Grey) had expressed his opinion in this House, and he was prepared to repeat the expression of that opinion in the terms used in the report of the Committee—a report in which he, as a member, concurred—that the number of members composing the Commission was too large for the convenient transaction of much of the business entrusted to it; that though the breaking up of the original body had involved a great improvement upon the early practice of the Commission, still that there was a want of regular and systematic attention to business, which a more direct responsibility pressing upon the members would naturally tend to secure. The Committee thus pointed out the defects which they conceived to exist in the constitution of the Commission; and he concurred in the recommendations of that Committee—recommendations, however, which the hon. Gentleman had not quite correctly described. In his (Sir G. Grey's) opinion, the larger was the body of which a commission consisted, the more irresponsible was each individual member. The composition of the Commission had, he thought, an inevitable tendency to throw into the hands of the secretary a greater share in the transaction of business, without imposing upon him a corresponding share of responsibility, than was warranted by the nature and importance of the affairs to be transacted. He had, therefore, been prepared to concur in a proposition for the alteration in the Commission. The hon. Gentleman who had just sat down, had alluded to a Bill introduced into the House in 1847, the object of which was, by the appointment of a paid commissioner, who should be a Member of the Estates Committee, and whose concurrence should be necessary to make valid any act of that body, to concentrate the responsibility in the hands of such commissioner, and to withdraw the business connected with property to a great extent from the general commission. There was a great deal of business then before Parliament, and it was obvious that the Bill would be strongly opposed. It was then that the hon. Gentleman the Member for Malton gave notice of a Motion for the appointment of a Committe to inquire into the constitution of the Ecclesiastical Commission. His (Sir G. Grey's) noble Friend near him stated, that in abandoning the Bill for the Session, he would accede to the Motion for a Committee of Inquiry; and that Committee was appointed. And now, having alluded to that Committee, he (Sir G. Grey) would give the most direct and unqualified contradiction to two assertions which the hon. Gentleman the Member for Cockermouth had made. The hon. Gentleman had stated that the Committee was granted upon two conditions—the one being that no discussion should take place in the House on the matter, and the second being that the names of the Members of the Committee should be approved of by the Archbishop of Canterbury. Now, this was the first time that he (Sir G. Grey) had ever heard of such conditions. He had never before heard of either of them, and he utterly disbelieved that they had any existence whatever, except in the fertile imagination of the hon. Gentleman. As to the appointment of the Committee, he (Sir G. Grey) had hardly thought of it from that time to this; but his recollection of what took place was confirmed by the hon. Gentleman the Member for Malton behind him. No discussion took place simply to facilitate the immediate appointment of the Committee, the notice for which stood after other notices on the paper, and could not, therefore, have been at once brought on in any other way. The object of so nominating the Committee was merely to prevent the subject from being postponed to a future and a very indefinite day; and it was on that account, and on that account alone, that his hon. Friend had consented to the appointment of the Committee without discussion. So far from the want of discussion being made a condition to the granting of the Motion, the question was not discussed in order that the appointment of the Committee might not be indefinitely postponed. The hon. Gentleman the Member for Cockermouth did not then state one word of objection to the arrangement. It was an unworthy suggestion for the hon. Gentleman to have now made—[Mr. HORSMAN: Hear, hear!]—and an unworthy one for the hon. Gentleman now to repeat, as by his cheer he appeared to do. He (Sir G. Grey) was not prepared to follow the hon. Gentleman through all the charges which he had made against the administration of the Ecclesiastical Commission. Should an answer be deemed necessary for the vindication of these Commissioners, there were others in the House more conversant than he was with the details of the administration in question, and who could, therefore, state what they thought necessary for the vindication of the character of the Commissioners. He knew that the composition of the Commission was inconvenient, leading to irregularity in the discharge of business, and to an undue share of confidence being placed in the secretary — a confidence which had certainly been abused, the secretary being guilty of a defalcation to the amount of 6,000*l*. or 7,000*l*. He was glad of an opportunity of stating the amount, because very exaggerated reports existed with regard to it. He had been asked whether it did not amount to 70,000*l*. He could only reply, that the sum was under 7,000*l*., he believed about 6,500*l*. The hon. Gentleman stated, that the greatest secrecy had been observed respecting these transactions. Now, he (Sir G. Grey) was not aware that any steps had been taken to preserve secrecy in the matter. A committee had been appointed by the Commissioners to investigate the affair, and immediate measures were taken to secure whatever property of the secretary could be made available to diminish the loss. For this purpose the services of the solicitors to the Treasury were placed at the disposal of the Commissioners. The hon. Gentleman had stated, that no declaration of vacancy in the secretaryship had been made. He was not aware that any such declaration was necessary. No new appointment had taken place, because it was not intended—and in this determination the Government quite coincided with the Commission—it was not intended to fill up the joint office of secretary and treasurer. A Bill was now before Parliament, providing for the repeal of the clause unadvisedly passed sanctioning this junction of offices; and, until Parliament should have had an opportunity of considering whether that clause ought to be repealed, no new appointment would take place. No step would be taken by the Commissioners which could fetter the free discussion of the question. Concurring, as he did, with much of what had been said by the hon. Gentleman as to the inexpediency of the constitution of the Commission, he did so without concurring in the sarcasms against the credit of members of the Commission which the hon. Gentleman had seen fit to indulge in. He hoped, on the contrary, that the good taste of the hon. Gentleman himself would convince him, on reflection, that he had acted ungenerously in talking about the bishops having sent round the begging-box, and sought for subscriptions to which they contributed nothing themselves. With respect to some of these right rev. prelates, and he particularly alluded to the late Archbishop of Canterbury and the Bishop of London, they had contributed, and that most munificently, to the erection of churches, and other objects for which subscriptions were set on foot. With regard, also, to the appropriation of the funds placed in the hands of the Commission, the hon. Gentleman dealt rather in romance than reality. The object for which these funds were applied was the augmentation of small benefices; and he believed that, in fulfilment of that object, the Commission had been productive of an immense degree of good. Returns of the appropriation of these funds, and of the number of these augmented benefices, were before the House. It was unnecessary for him, therefore, to state the amount of these augmentations, and the number of clergymen now, through the agency of the Commission, labouring in populous districts and remote parts of the country formerly inadequately supplied with the means of spiritual instruction. That there was still room for improvement in the proceedings of the Commission, he admitted. Every precaution ought to be taken to ensure the best possible administration of the funds entrusted to their charge. As to the proceedings of the Committee, he must be allowed to correct one misstatement of the hon. Gentleman. He had begun by alluding to the alleged conditions under which the appointment of the Committee was said to have taken place; and the whole tone of the hon. Gentleman's speech went to impugn the fairness and impartiality of the Committee. He stated that it comprised five Ecclesiastical Commissioners, and two Cabinet Ministers. He (Sir G. Grey) could find only four Ecclesiastical Commissioners, two of them being Cabinet Ministers, who, indeed, the hon. Gentleman seemed to think, were placed upon the Ecclesiastical Commission more for ornament than use. Now, as regarded the ordinary transaction of business, he (Sir G. Grey) admitted that it was impossible that either his right hon. Friend the Chancellor of the Exchequer or himself could attend to the ordinary details of the business of the Commission of which they were *ex-officio* members, although, of course, they were ready to give their opinions upon any question of importance. But he hoped that the House would not run away with the idea that there were on the Committee five Ecclesiastical Commissioners, and two Cabinet Ministers in addition. [Mr. HORSMAN: There was also Mr. Nichol.] He admitted that he had overlooked the right hon. and learned Gentleman. But, after all, there were only five, and not seven, out of the fifteen Members of the Committee; and of these, the hon. Gentleman was aware, there were some who had expressed their disapproval of the constitution of the Commission. How could he then argue that they would enter on the inquiry determined to support the Commission? Again, he said, there was one Member of the Committee, the chairman, who was the brother of a prelate, and who might, therefore, it was contended, be acting under the influence of the Ecclesiastical Commission. Now, the hon. Gentleman, in making these insinuations, had omitted to state, that, during the first year when the Committee sat, when it was engaged in taking the greater part of the evidence which it collected, the chairman was the noble Lord the Member for Totness.

MR. HORSMAN: The chairman who drew up the report was the hon. Member for Malton.

SIR G. GREY: But the hon. Gentleman did not dissent from the report, or express, until now, any doubt of its impartiality. Well, but the hon. Gentleman stated that this Committee recommended the appointment of a separate and distinct board, to be composed of three paid commissioners, to whom should be referred all business connected with the estates. Now, that was not the interpretation which he (Sir G. Grey) put upon the recommendation of the Committee. No doubt the Committee recommended a change in the composition of the Commission; that a considerable division of duty should take place; that business of a more purely ecclesiastical nature should be separated from the management of the property; but that to the united body should be referred the ultimate decision of all questions—the small committee managing in all its branches the property of the Commission, but still as a committee. To show that this was intended to be a committee of the Commission, and not an independent body, he need only call the attention of the House to one of the paragraphs of the report. It was as follows:—

> "That three paid commissioners should be appointed, two to be nominated by the Crown, and one by the Archbishop of Canterbury. That in order to constitute a quorum of the board, or of

the Committee for managing property, the presence of one of the paid Members shall be necessary."

Therefore, he contended that the intentions of the Committee of the House of Commons were, that there should be formed a Committee of the Commission, and that to form a quorum of this Committee the presence of one of the paid members should be necessary. It was not intended to supersede the Commission, but to insure the better management of the estates by the presence at the board of men devoting their time and attention to the subject, and acting under the responsibility attaching to them as paid members of it. The hon. Member for Cockermouth had stated that he (Sir G. Grey) had concurred in these recommendations. He had done so—he did so still——and the Bill introduced last year was founded substantially on the report of the Committee. But of that Bill the hon. Gentleman had not given a correct version. The Bill authorised the appointment of three Church Estate Commissioners—two to be appointed by the Crown, and one by the Archbishop of Canterbury. Now, he (Sir G. Grey) admitted that he thought that the Bill was defective in making the Committee too large. He thought it desirable to concentrate responsibility, and that, therefore, the Estate Committee should be a small body, who would give their entire attention to the subject. On further consideration, therefore, the Bill became the subject of modification, and his noble Friend near him had moved that the Bill be committed *pro forma*, in order to introduce alterations, which, it was thought, would improve the character of the measure: one of these alterations being intended to remedy the defect to which he had just alluded, and to reduce the number of the Estate Committee, and to provide that none of its acts should be valid unless concurred in by the paid Commissioner appointed by the Crown. It was also proposed in the original Bill that no report of the committee should be considered at the general board, unless in the presence of the paid Commissioner. In the Bill, as amended, it was proposed that no business of any kind should be transacted at the board unless in his presence. With regard to the resolution moved by the hon. Gentleman, he hoped the House would not take such an unusual step as to fetter themselves by the adoption of a resolution in reference to the subject-matter of a Bill before the other House of Parliament, and which would, probably soon, come before this House. He thought that it would be inexpedient to anticipate the decision upon a point which would properly be considered in Committee on the Bill. When the Bill came before them, the hon. Gentleman would have an opportunity of taking the sense of the House, both on the principle and details of the measure. All he asked was, that the House should not come to any premature expression of opinion. He had now said all he felt necessary to say upon the Motion before the House; but he felt that he must add a word on a matter personal to himself. He was almost ashamed to allude to a letter which the hon. Gentleman had written to his constituents at Cockermouth. He was glad, for the sake of the hon. Gentleman, that he did not deem it expedient or right to reiterate in that House, and in his presence, the charges which he thought it not unbecoming to bring against him, in a letter published in a newspaper — charges of gross dishonesty and of wilful fraud in the conduct of the Bill of last Session. As the hon. Gentleman had not ventured to repeat that charge, he would not condescend to reply to it. But if he abstained from doing so, it was because he should not feel himself justified in entering into charges published only in the columns of a newspaper. He felt also that any hon. Member of experience in that House knew that the hon. Gentleman the Member for Cockermouth must have drawn largely on his imagination in describing a scene which never could have taken place in passing the Bill, *pro formâ*, through Committee.

MR. HUME thought the right hon. Gentleman the Home Secretary had confined his reply to mere trifling, which was not worth noticing, passing over altogether those abuses which were charged, and ought long since to have been redressed. No less a sum than 128,000*l.* had been applied by this Commission to the benefit of the bishops, and only 93,000*l.* for the use of the poor clergy and the augmentation of small livings; though it had been shown in that House that there were 20,000 working curates whose incomes were only 80*l.* a year each. What he contended was, that this fund ought to be placed in the hands of laymen, who should be responsible to the Treasury, and not to the bishops, who were interested parties. The House had resolved that the Bishop of Durham should have an income of 8,000*l.* a year; but it was reported that he received twice that amount, and it was the same with other prelates. If men in ordinary life appropriated to themselves property belonging to others, they would be brought before the courts of justice; but when bishops were guilty of such conduct, they found men on all sides ready to get up and defend them. The right hon. Baronet, however, did not attempt to defend them; he admitted the present administration of the fund was wrong. He hoped Ministers would be more successful this year in passing their Bill, than they had been in former years. For his own part, he felt obliged to his hon. Friend the Member for Cockermouth, and so, he was sure, did the country, for the manner in which he had followed up this subject, and made himself master of it; and he hoped he would persevere until he succeeded in putting an end to the abuses which existed. Twenty-five years ago, when he (Mr. Hume) attempted to overhaul the Church, and see justice done, he well remembered what an outcry was raised against him. He was proclaimed by the clergy as an atheist, and as a man unworthy to be recognised in society, and all this was done to cloak and cover over their own abuses. These denunciations had no effect on him, and he hoped his hon. Friend would treat them with equal contempt, and consider that abuse from such quarters was praise. They had abolished sinecures in the Army and the Navy: why should they be permitted in the Church?—why should not the funds set apart for religious purposes be applied to those purposes, and not to the enriching of bishops and clerical sinecurists?

Mr. AGLIONBY promised to give full expression to his views on this most important subject when the Bill introduced into the House of Lords should have come down for the consideration of hon. Members of that House. He contended that the public were much indebted to the hon. Member for Cockermouth for having brought this question forward on the present and former occasions, because it was impossible that too much attention could be paid to the management of a large amount of property vested in the hands of the Commissioners, of which very little was publicly known, and probably much less would have been known, either as to the property itself or the mode of its management, had it not been for the hon. Member for Cockermouth and other hon. Members, who had moved for inquiries in that House. It was, however, matter of regret that there should have been anything like personal matter imported into the debate, and that the manner of the right hon. Baronet the Secretary of State for the Home Department should have indicated a little soreness at something which had appeared in a letter written by his (Mr. Aglionby's) hon. Colleague, that had appeared in the newspaper, and in which, it was fairly to be presumed, that hon. Gentleman had stated facts, knowing the consequences, and believing what he published to be true. His hon. Colleague was perfectly able to defend himself, and doubtless he would do so; but in the meantime it was to be regretted that the right hon. Baronet had, in alluding to the subject, used expressions for which in all probability he would himself feel sorry.

Lord J. RUSSELL: A Cabinet Minister cannot be sorry for his expressions.

Mr. AGLIONBY said, he did not know for what a Cabinet Minister felt sorrow; but if ever it was felt by a right hon. Gentleman holding that office, this was the occasion for him to evince it. The expression used by the right hon. Baronet was a strong one. It was, that the hon. Member for Cockermouth had drawn upon his fertile imagination for some of his statements. Now, the allegation of his hon. Colleague was this: that the Committee had been granted on two conditions: first, that there should be no discussion at the time of appointing it; and, next, that the name of the Committee should be submitted to the Archbishop of Canterbury for approval. The right hon. Baronet had admitted, with reference to the former, that the Committee were appointed without any discussion, in consequence of the lateness of the Session, and that it was intended they should be appointed without any discussion; and, therefore, as far as that point was concerned, his hon. Colleague had not drawn upon his fertile imagination for his facts. The right hon. Baronet, with reference to the second point, had said, not that the names were not submitted, but that he did not know of their being submitted to the Archbishop of Canterbury. It was manifest from some portions of the speech of the right hon. Baronet, that he had misunderstood the hon. Member for Cockermouth, for that hon. Member had not intended by any of his observations to represent the Committee as an unfair Committee. He had stated its constitution, its numbers, and how many of its Members were connected, either directly or by feeling, with the Church; and he argued that the very circumstance of so many Members having no bias against the Church, and being still unanimously in favour of the report they adopted, imparted to that report a consideration and a weight with the country, which it would not have possessed had it emanated from a Committee hostile to the Church. Again, the right hon. Baronet was wrong when he said that his hon. Colleague had cast an unjustifiable slur upon the bishops of the Church in describing them as bishops going about with the begging-box. For what was the evidence of the Bishop of St. Asaph? By question 1,104, the Bishop of St. Asaph was asked—

> "Considering the purposes for which the Ecclesiastical Commission was appointed, and the desire to increase the efficiency of the Church, would it not be desirable that all the revenues of the Church should be thrown into one common fund?—I do not think it would; for there had been a greater increase in the staff of bishops than in any other department of the Church.
>
> "Do you think that an increase of bishops would tend to the diffusion of more spiritual instruction to the people?—Yes.
>
> "More than adding to the small clergy?—Yes; my opinion is that if there were more bishops, we should get a charitable fund for the poor clergy.
>
> "How do you expect to attain that object?—By our calling on the laity to subscribe funds for the purpose."

So that, although his hon. Friend's mode of speech might be figurative, the substance of it was not so far wrong. [Sir GREY: The bishops did not withhold their subscriptions.] He had not said that they had. The right hon. Gentleman had contended, however, that this Motion was ill-timed, as there was at this moment a Bill on the subject before the other House of Parliament.

SIR G. GREY: What I said was, that, considering the matter to be one of detail, I thought it would be more in accordance with Parliamentary use to wait until the Bill before the other House of Parliament should come down to this.

MR. AGLIONBY said, that his hon. Colleague had placed his notice of Motion on the books before he was aware that a Bill had been introduced into the other House, and before it was even known that it would be brought forward there. The more the question was discussed, the better. The probability was, that had his hon. Colleague agitated it when the Commission was instituted, the feelings in the country would have been such that there would have been no Commission at all—that the large amount of church property would never have been invested in their hands, because anything more perilous and unfortunate than to lock up such a quantity of property in the hands of any Ecclesiastical Commission could not be conceived. If it were the best constituted Commission in the world, it would be monstrous folly ever to put them in possession of property so extensive. The value of that property was at present about 1,000,000*l.*, and for aught that was known, it might increase to 9,000,000*l.* or 10,000,000*l.*; therefore it was too vast and important to be managed by any Commission.

SIR H. WILLOUGHBY hoped the hon. Gentleman would withdraw his Motion. He would remind his hon. Friend the Member for Malton, that in respect to the appointment of the Committee, he, at the time, thought its composition was dangerous. He did not wish to undervalue the labours of that Committee, but the result had shown the dangerous course of the system which had been pursued. There was the case of the secretary, who was afterwards found to be connected with railway speculations to a large amount. He was connected by family ties with the solicitor of the Commission; and it came out that the secretary was irremovable. It was not right that a Commission entrusted with the administration of so large an amount of real property should be so constituted.

SIR R. H. INGLIS observed, that one of the hon. Members for Cockermouth had come to the rescue of the other. The hon. Member for that borough who had last spoken, had said that such was the management—he had afterwards wittily said mismanagement—of the Ecclesiastical Commission, that it might be expected ultimately to get control of property to the amount of 9,000,000*l.* or 10,000,000*l.* Now he (Sir R. H. Inglis) apprehended that if the whole ecclesiastical revenues of England, in the hands of churchmen, laymen, or corporations, were invested at one moment in the hands of the Ecclesiastical Commissioners, they would not amount to one-third of the sum the hon. Member had named. He was not there to defend the Ecclesiastical Commission; ever since its institution he had opposed it. He had always regretted it, as a great violation of the rights of property vested in the episcopal body, and in chapters and other corporations, by the liberality, not of the State, or of kings, but of private individuals. He had not been the defender of the Commissioners or the Commission; but he should be ashamed to hear language such as that which had been addressed to the House by the hon. Member for Cockermouth—language which he believed to be utterly unsubstantiated in fact, without rising and giving it an indignant denial. The Church had as much right to its property as any lay corporation had to theirs; and the duties towards the poor were as much the duties of each individual of society, as of the Church. But the hon. Member for Cockermouth said, that the bishops had squandered and exhausted the treasures of the poor. [Mr. HORSMAN: Yes.] He (Sir R. H. Inglis) denied the assertion as emphatically as the hon. Member repeated it. The treasures of the poor had not been entrusted to the bishops of the Church, and they could not, therefore, have either exhausted or squandered them. The hon. Member also said, that the bishops had given out their exhortations for contributions. Did the hon. Member mean to say that they had given nothing but their exhortations? If he did not mean that, his statement had no point: if he did mean that—if he did mean that the bishops exhorted others to give, and themselves gave nothing, his statement had no correctness. He (Sir R. H. Inglis) was now speaking in the presence of some of the members of the Ecclesiastical Commission; and he was prepared to state his personal belief in the fact, that in order to institute the bishopric of Manchester—whether, in the estimation of the hon. Member for Manchester, that was a large or a little boon, he could not say—in order to institute that bishopric sooner than the Ecclesiastical Commissioners of their own powers were able to do, the late Archbishop of Canterbury, the present Bishop of London, and, he believed, the late Archbishop of York, had contributed a sum of money each which amounted in the aggregate to 2,500*l.* a year. The hon. Member for Cockermouth had been pleased to contrast the life of the primitive bishop with that of the bishop of the present generation. Perhaps he would draw a similar contrast between the life of a primitive and a present layman. And if they went back to the apostolic ages, the primitive Christians in the lowest rank of life set an example which he believed every one would do well to follow. The hon. Member, however, forgot the altered constitution of society in the present day—that in the state of things which existed in England there were different ranks of society and different duties enjoined; but he defied the hon. Member for Cockermouth, as he had defied others before him, to point to a single period in the history of England since the country had enjoyed the first outlines of her existing constitution, in which the bishops had not held a prominent position as the first estate of the realm, and in which they had not as of right enjoyed their own property, as much as any layman in the land. His objection to the working of the Commission had been its tendency to convert the hierarchy of England, and, indeed, all the humbler members of the Establishment, into stipendiaries. Such was the professed object of the hon. Member for Montrose, and such the object, he believed, of the hon. Member for Cockermouth. *Arcades ambo!* The hon. Member for Montrose had said to-night, that twenty-five years ago he was the only Church reformer. [Mr. HUME: Not the only one.] He (Sir R. H. Inglis) protested against the arguments which the hon. Member for Cockermouth had directed against the institutions of the Church, and the individuals composing it. He had taken the hon. Member's words down at the time, and he found they were, "that the bishops will not withdraw their grasp from the property of the Church." Did the hon. Member mean to say that the bishops had not a legal right to their own property—that they had not a statutable right to the property confided to them as bishops? and did he mean that they should be made to withdraw their "grasp" from their own property? Whose property was it, if it were not theirs? He protested against this language, as also against the tendency of some legislative measures with respect to the Church; and he hoped that Her Majesty's Government, with, he trusted, the assistance of the House, were prepared to resist the present Motion. He nevertheless felt, with the right hon. Gentleman the Secretary for the Home Department, that this Motion would not merit the support of a single vote in that House; for, according to the usages of Parliament, if a Bill on a particular subject were before one House, legislation on it was suspended until the measure had come before the other. If the Motion were persevered in, he trusted it would be resisted; but he hoped the hon. Member would adopt the suggestion thrown out, and withdraw his Motion altogether.

MR. J. E. DENISON said, as the House had done him the honour, on his Motion, to grant a Committee to inquire into the composition and management of the Ecclesiastical Commission, and as the Committee did him the honour to desire him to draw up the report, he felt that perhaps he had in some degree stopped short of his duty in not taking an opportunity to bring the whole matter before the House. But it was a case of difficulty, of great magnitude and importance; and as the Government had consented to take the matter into their own hands, and adopt the recommendation of the Committee, he felt he should best accomplish the object he had in view, and best discharge his duty both to the Committee and the House, by leaving the Government, which was really the proper medium for doing so, to carry the measure through the House. He endeavoured in that Committee to conduct the inquiry to the best of his ability—searching for the truth, at the same time desirous of not creating unnecessary personal annoyance to any one. As something had been said in the course of the debate, of the members of the Committee, he wished to say that he felt he owed a great obligation to the two right hon. Gentlemen opposite for the fairness and candour with which they entered into the inquiry, and the great services which they performed on the Committee. If he had erred in not bringing this matter forward, he had erred from an anxious wish to save the time of the House, of which he was at all times a zealous economist. It was entirely contrary to his habits to make a speech, merely for the sake of speaking. He believed that everything that was necessary would be done by the Government. Some questions had been addressed to him by the two hon. Members for Cockermouth. The hon. Gentleman who introduced the subject asked him whether, as regarded the composition of the Committee, a sort of bargain had been made that the subject should be introduced without discussion; and he also asked him whether it was not another bargain that the names of the Committee should be submitted to the Archbishop of Canterbury? The right hon. Baronet has, I trust, explained to the satisfaction of the House, the real interpretation of the bargain. The only bargain I made was this—"If you will give me the Committee as an unopposed Motion, and grant it to me to-day—as under other circumstances I should not be able to bring it on—I will not make any speech." As to the second question, he should have answered it by giving it the most straightforward contradiction. But the hon. Member for Cockermouth had come to him from his place, and asked him whether he did not remember something that took place in the lobby of the House that led him to make the statement that the names of the Committee were to be referred to the Archbishop of Canterbury. As the hon. Gentleman stated that something of that kind had occurred, all he (Mr. Denison) could say was, that he would not speak positively, but only to the best of his recollection that nothing of the sort had occurred. He had asked his noble Friend at the head of the Government if he would be so kind as to refresh his recollection as to whether any reference of the names of the Committee was to be made to the Archbishop of Canterbury. He could state positively that he had no direct communication with the archbishop in regard to this Committee himself. His noble Friend said, he had positively no communication with the archbishop with regard to the names; and therefore what the channel of communication with the archbishop was, if such communication took place, he could not tell. He must say, that he should have thought he was not acting fairly by hon. Members if he had asked any Gentleman to enter into a Committee of Inquiry which was to be bound by any restrictions whatever. He asked that House whether, in the course of the time he had had a seat in it, there was anything in his conduct that could lead them to suppose he was capable of acting in such a manner? He would go a step further. It had been said, that the Gentleman who was chairman of the Committee was the brother of a prelate. He would ask, if any Gentleman in that House had observed anything in his conduct that could justify an imputation that any private or personal considerations would divert him from the straight path of duty? It had also been said, that several members of the Ecclesiastical Commission had seats in the Committee. Now, in selecting the members of that Committee, he wished to have Gentlemen upon it who were cognisant of the subject, and he was anxious that Gentlemen connected with the Ecclesiastical Commission should take part in the inquiry. He had confidence in the strength of his case; and he would ask if it was not a great deal more satisfactory to that House, and to the country, that the report should emanate unanimously from a Committee composed of all sides, and some of them members of the Commission, than if it had come from a Committee differently constituted. With regard to the subject which had been introduced to the notice of the House, he would pursue the course taken by others, and refrain from entering upon a discussion of it. He must state, however, that any Gentleman who diligently read the inquiry would find many painful facts—many things that must excite regret. It would be necessary to have a full discussion of the details of the Bill introduced into the other House when it came before them. He would, however, observe, that since the Committee sat, and since the report was made, two circumstances of some importance had occurred. One had been referred to—the defalcation of the secretary. The Commission was so jealous of the funds committed to their charge, so scrupulous of the expenditure of every farthing, that they would not consent to have a Commissioner whose salary should be paid from the funds of the Church. He could not doubt that such a Commission intrusting large sums of money to an individual, would have taken those precautions to procure that proper amount of security which was always expected from any persons into whose hands money was placed. He hoped, that this money of the Church would not be lost. There was another point to which he would refer. A Commission had been issued to inquire into and report on the better management of church property. He was given to understand that the report of that Commission would be laid on the table of the House that evening. He would for a moment assume that for the better conduct of these matters—for the proper management of the affairs of the Church—some central board, to act as an arbitrator and an umpire between the Church and the lessees, would be required. He would ask the noble Lord at the head of the Government, whether it was possible that the Ecclesiastical Commission, as now constituted, could be that board of reference? He had no hesitation in saying that it was impossible. He must frankly tell the noble Lord, that if he proposed to have two Commissioners instead of three, though he would, of course, be ready to hear all the arguments that might be urged, his impression was, that it was absolutely necessary they should have that full number of Commissioners; that there should be three, and no fewer. He trusted that, after what had occurred on both sides of the House, the hon. Gentleman would not think it necessary to ask the House to divide upon his Motion.

Mr. MANGLES said, that having been frequently consulted by the hon. Member for Cockermouth with regard to this question, and knowing and appreciating the motives which actuated the hon. Member in the course he had taken, and feeling also that the hon. Member had not had fair quarter extended to him, he felt it incumbent on him to address a few observations to the House. He had understood the hon. Member for Cockermouth distinctly to speak of the constitution of the Committee, not as disparaging it, but rather as an argument *à fortiori* in support of the recommendations of its report. His hon. Friend had said, here was a Committee composed of a certain number of members of the Ecclesiastical Commission, containing also some Ministers of State, with the chairman himself the brother of a right rev. prelate; and if such a body had any prejudices at all, they must fairly be supposed to have leanings towards the proceedings of the Ecclesiastical Commission, And if such a Committee had come to the conclusion that it was absolutely necessary that three paid Commissioners should be added to the Ecclesiastical Commission, on whom the labour and responsibility should mainly depend, with regard to the administration of the property of the Church, it was surely a strong argument that any legislation contemplated by the Government should be based on such a recommendation. The hon. Baronet the Member for the University of Oxford also had dealt rather hardly with the hon. Member for Cockermouth. The hon. Baronet, zealous friend as he was of the Established Church, could not be a warmer one than the hon. Member for Cockermouth, although they might differ with each other as to the best means of carrying out their common object. The views of the hon. Member for Cockermouth would increase the power, the means, and the efficiency of the working clergy of the Church; and he (Mr. Mangles) was sure that in these views he had the support not only of the working clergy themselves, but also the good opinion and confidence of a very large majority of the laymen of the Establishment.

MR. HORSMAN wished to offer a very few words in explanation. He had been asked by the hon. Baronet the Member for the University of Oxford, if the bishops are not the proprietors of the property entrusted to their hands, who then are its proprietors? He (Mr. Horsman's) answer was, that they were not proprietors, but trustees—it was not the property of the bishops, but of the Church, meaning by that term the congregation of the people at large. The difference between the hon. Baronet and himself was simply this—the hon. Baronet considered the bishops the masters of the Church; he (Mr. Horsman) considered them its servants. Now, he must say, that the right hon. Baronet the Home Secretary and the hon. Member for Malton also, had shown considerable adroitness in endeavouring to lead the House away from the really important point before them. The right hon. Gentleman had noticed two points, which were both quite immaterial, and had misrepresented his (Mr. Horsman's) remarks. He said that he (Mr. Horsman) had impugned the character of the Members of the Committee, and stated that they went into the Committee with the intention not to do justice. Now, he must reply that he had said nothing of the sort. When he called upon the House to look at the recommendations of the Committee, he desired them to observe, at the same time, how that Committee was composed. It could not be said that it was a partial Committee, chosen from one party, and therefore not carrying the weight which a Committee of higher character would have done. What he said was, that the Committee was composed of Gentlemen of the highest character, of the greatest experience, and of the most established influence in Parliament; and that for those reasons its recommendations were entitled to more weight, because such a Committee could not be supposed to be hostile to the Commission. If he had not before expressed himself correctly, he begged now to say that it would have been impossible to select Gentlemen against whom it would be more difficult to found a charge. There was only another subject on which he would say a word, and it was in reply to what the right hon. Gentleman said as to a letter of his (Mr. Horsman's). Now there was one very good reason why he (Mr. Horsman) should not in his opening speech have noticed that letter. He had a public question to submit to the House, and he did not think those bringing it forward were justified in mixing up personal matters with it. But the right hon. Gentleman rather seemed to say that he (Mr. Horsman) shrunk in that House from standing by what he said or wrote elsewhere. He had been in that House fifteen years; and a man must have been there to very little purpose indeed if he did not know that, sitting down deliberately to make such a statement as he had done, he was doing that which might be attended with very serious consequences. He well knew that, and that he placed himself in a position of great responsibility and of no small peril. He knew that the very publication of such a statement as he had made was very dangerous, and very hurtful to himself in the first instance, because it must prejudice every impartial person against the man who made the accusation, and must enlist the sympathy of every right-minded individual in favour of the men in high position, so accused. Notwithstanding all this, and with a knowledge of its responsibilities and its perils, he deliberately wrote his letter, and on the first day on which Parliament met he gave his notice of the present Motion, and thus afforded an opportunity for those who were affected by his charges to give an answer to them. As the right hon. Baronet had not thought proper to go into the subject, he would not do so. He had not another word to say upon it, but he wished nothing to be insinuated in that House that he shrank when there from standing by anything that he expressed out of doors. With regard to the Motion he had brought before the House, since he had given notice of it, a Bill had been introduced into the other House, which would shortly come down there; and as that was a fair Parliamentary ground for opposing his Motion, he would not trouble the House at present by pressing it.

Motion, by leave, withdrawn.

THE ARCTIC EXPEDITION.

SIR R. H. INGLIS begged to move for copies of any reports or statements from the officers employed in the Arctic expeditions, or from any other persons, which have been laid before the Lords Commissioners of the Admiralty in respect to the resumption of the search for Sir John Franklin's expedition. It was not necessary, in making this Motion, that he should quote any precedent in its support. It was one in respect to which he hoped he should have the same cordial concurrence of the House as he experienced in respect to the last Motion he made on the subject. At the same time, though he was aware that there was not, technically, any opposition to the production of the papers, yet he would not conceal from the House that his object was not simply to obtain those papers, but to induce the House to express the same sympathy with the same object to which the papers adverted, as had been done on a former occasion. He was desirous of eliciting from the House a manifestation of sympathy with those of their fellow-countrymen who were now passing their fifth year—if God should have spared their lives—amid the horrors of an arctic winter. He would earnestly urge upon Her Majesty's Ministers to take such further measures for the relief of those brave and disinterested men as their own zeal and as the science of those by whom they were surrounded might teach them to be the most applicable for the purpose—that of rescuing Sir John Franklin and those who were associated with him; that they would, in fact, do what they had on a former occasion done in sending forth an expedition to resume and complete the unfinished search after that gallant officer and his gallant crew. The Government would have a right to complain of any person who could move for even a slip of paper in reference to future proceedings, who did not at the same time acknowledge what they had already done upon the subject. At the same time he was bound to urge upon them not to lose a month, a week, a day, or even an hour, in seeking to release those gallant men from their perilous position; for every former expedition had failed, if not entirely, or principally, yet in great measure at least, from not having been sent forth from this country at an earlier period. He believed that during last month all the crews of the whalers were engaged for the ensuing season; and that hardly any whalers would remain in this country by the end of March. He had learnt from one of the most experienced authorities on the subject, that, in order that the search might be effectual, it ought to commence in Baffin's Bay at the end of May, or the beginning of June, so that it might take advantage of the first opening in July. He ventured to hope—without wishing to disparage any other mode of search—that Her Majesty's Government and the Lords Commissioners of the Admiralty would take into consideration the expediency of applying steam navigation directly and primarily in the search. It was not the suggestion of Sir James Clarke Ross, but of his predecessor Sir John Ross, that steam paddles might be used with unmixed advantage, provided they could be raised above the vessels on the approach of any probable collision in the ice. He (Sir R. Inglis) had learned from high authority that the measure was not only practicable but might be easily adapted and applied most usefully in such an enterprise. He would also suggest that instead of two vessels being employed, the same amount of tonnage should be distributed among four vessels. The object was not so much to go from one given point to another equally known, as to make a search in all directions. It was like sending out four policemen instead of one. Supposing four vessels should go out, he would suggest that each vessel should be independent of the others. A stimulant would thus be given to the energy of each, and greater results would probably follow, than could be secured by any other mode. He had not said a word on the subject as being one connected with national honour, or with science; but the cause of humanity ought to compel them, and a feeling of national honour ought to induce them to do what he now urged upon Her Majesty's Government, without a word being said about science. For what did they hear at the close of the last Session? That the Governments of two other States were engaged in making preparations for rescuing our own countrymen. He believed there was no precedent in history of one nation sending forth an expedition to rescue the lives of the subjects of another nation. He did not know whether, either in the case of Russia or of the United States, these hopes had been realised, and whether any actual efforts had already been made by those Governments for this object; but the honour of England required that efforts should be made by England herself to rescue her own countrymen. It had been suggested that the use of small balloons would facilitate the search. He gave no opinion upon the subject, but he understood that such a mode might be made subsidiary to the other means employed: the balloon being attached by ropes to the ship or point from which it might be sent up. This was not a private question; he would not, therefore, introduce private considerations; but when he reflected on the remarkable and most memorable conduct of the wife of Sir John Franklin, of her self-denying efforts in the cause of her husband and of his companions; when he considered the hundreds of persons who were interested in the fate of the husbands and brothers now engaged in that expedition, he thought he did not unreasonably prefer his suit to the First Lord of the Admiralty when he expressed a hope that he would take the subject into immediate consideration, not merely from a sense of humanity towards those who were missing, or from a sense of national honour, or from a consideration for the cause of science, but also from a sympathy for the anguish and suspense that had been felt by so many of those who, though breathing the same genial air with ourselves at home, were suffering for those who were now separated from them, and were existing in the regions of an ice-bound zone. He had reason to hope that his right hon. Friend was not only prepared to concede the papers he had asked for, but to indicate to the House at once that it was the firm intention of the Government to comply with the suggestions that had been made. He should conclude by moving for—

"Copies of any Reports or Statements from the officers employed in the Arctic Expeditions, or from any other persons, which have been laid before the Lords Commissioners of the Admiralty in repect to the resumption of the search for Sir John Franklin's Expedition:

"Of any plan or plans of search, whether by ships or boats, up to the present date:

"Copy or Extracts from any Correspondence or Proceedings of the Board of Admtralty, in relation to the Arctic Expeditions (since the date of the last Return to this House in 1849):

"Copies of the Orders issued by the Board of Admiralty to the Captains Collinson, Kellett, and Moore, and to Lieutenant Pullen; and also Copy of the Instructions given to Dr. Rae, through the Hudson's Bay Company:

"Of any Reports made by any officer or officers employed in the late Expeditions, and addressed to the Board of Admiralty:

"And, of the latest chart of the Polar Sea compiled by order of the Board of Admiralty (in continuation of Parliamentary Papers Nos. 264 and 386, of Session 1848, and of Nos. 188 and 387, of Session 1849)."

Mr. C. ANSTEY, in seconding the Motion, begged to call the attention of the right hon. Baronet the First Lord of the Admiralty to the proposal of Mr. M'Cormick, surgeon of the *Erebus*. That gentleman proposed that, whatever other expeditions might be set on foot, a number of boats should be employed to examine Smith's Sound and Jones's Sound, ending with the Wellington Channel. From the long period which had elapsed since the last tidings of the missing expedition had been received, there could be very little doubt that if the officers and men were in existence, they had been arrested at some point between which and the known or habitable regions of the globe there was no communication, and consequently it was more than probable they would be found to the northward of Parry's Islands. Jones's Sound and Smith's Sound had not yet been surveyed, but were considered points of communication with the Arctic Sea, and, therefore, with Wellington Channel itself. Mr. M'Cormick had volunteered to take command of the boats to be employed in this hazardous enterprise, and asked for no outlay beyond that which would enable him to reach the place indicated on board some whaler, which might afterwards be employed in the investigation. In addition to the rewards offered last year to those who might afford relief to the expedition, he would suggest the propriety of offering some reward to such persons as might bring indubitable proofs of the traces of the vessels or of the men, who might, perhaps, have abandoned the ships.

Sir F. T. BARING said, it had been his intention to take the earliest opportunity of stating the course the Government intended to pursue in this matter. As time pressed, and it was necessary that Government should decide, the Admiralty took upon itself to despatch an expedition by Behring's Straits; and it was the intention of Government to send an expedition in search of Sir John Franklin to proceed from the eastward by Lancaster Sound. He thought it would be better for him to defer entering into the details of the course Government would adopt, and that he should state it in a paper to be laid before the House, because the details were not fixed. But he assured hon. Gentlemen that a good many of these propositions had been submitted to the Government, who had paid every attention to them. Of course, on a subject like this every one had his own project; but it would be the endeavour of the Admiralty to adopt that which they really believed would be most efficient for the purpose. He thought it right to state that in an expedition of this nature the pecuniary cost would not be a consideration in the slightest degree. Of course the time might unfortunately come when they would no longer have a right to risk the lives of men in such a search. That had been to him a subject of consideration; but from the opinion of those who were best able to form an opinion, he trusted there still was such a hope as justified the Government in taking every measure which they fairly and properly could take, to render assistance, if possible—at any rate, to ascertain the fate of their unfortunate fellow-countrymen. It was not for the purpose of nautical science, or for the extension of geographical knowledge, the importance of which he hoped he did not underrate, but solely for the purpose of saving life, that this expedition was about to be undertaken. As soon as possible, the papers giving the details of the proposed expedition would be laid on the table of the House. Allusion had been made to the assistance rendered by foreign Governments; he ought to add that his Imperial Majesty the Emperor of Russia had most kindly and cordially given every assistance in his power, and had acceded to every request which had been made to him by this Government. He was also bound to state that the Hudson's Bay Company had not only acceded to the representations which had been made to them by the Admiralty, but had voluntarily undertaken whatever they thought could by possibility tend to throw light on the missing expedition. As to the papers now moved for, a certain discretion must be allowed to the Admiralty as to the time and mode of presenting them; and he had no doubt that, in exercising that discretion, they should meet the wishes of the House and of the hon. Mover.

Mr. WYLD alluded to the large sums which had been expended in these exploring expeditions, and said that they had always gone on an erroneous principle, by proceeding from the east westward. This was but carrying out an old tradition which had existed some time in the Admiralty Office, about the discovery of a north-west passage. All who had studied the matter either theoretically or practically, knew full well that as the currents always set from west to east, the expeditions sent from this country had to encounter not only the perils of the season, but large aggregations of ice which had been partially broken up, and were drifted from west to east by the continuous flow of the current. He entertained a confident hope, in common with most who had studied the subject, that the expedition under Sir John Franklin was at this moment existing; and looking at what the course of the expedition had been, he must say, that the principal point had never yet been explored. Those who had looked at the subject, had a very firm assurance that the expedition was now existing on the southern point of Melville Island. If the expedition now to be sent out were to go from east to west, he did not think it would accomplish its object so well and so easily as by another course of action. With the ready means which existed for obtaining large supplies from the northern coast of America, and the Hudson's Bay Company, he thought the best course would be to start from the mouth of the Coppermine river, the boats being carried over the ice; and thus the whole of that portion of the coast, where there was any likelihood of Sir John Franklin and his companions existing, might be explored at one-fourth the cost which would otherwise be incurred. He hoped the Government would take into consideration the large sums of money which had been hitherto expended uselessly and fruitlessly. If the expedition was to be carried out with success, he thought it ought to be more from the land side than the sea side. He did not quite agree in the propriety of employing steam vessels; he did not think they would be applicable in those latitudes, and that peculiar climate.

Mr. HUME said, the right hon. Baronet the First Lord of the Admiralty had mentioned the Russian Government; he wished to ask, if efforts had not also been made by the Government of the United States?

Sir F. T. BARING was understood to say, that no official communication had taken place with the American Government on this subject. His statement only had reference to those quarters in which the Government had officially applied for assistance in promoting this object.

Sir R. H. INGLIS said, he would not allow the Motion to be agreed to without expressing his gratitude to the right hon. Baronet and to the House, for having concurred so entirely in the suggestion of another expedition being sent out in search of Sir John Franklin.

Motion agreed to.

COUNTY RATES AND EXPENDITURE.

Mr. M. GIBSON moved for leave to bring in "a Bill to establish county financial boards for the assessing of county rates, and for the administration of county expenditure in England and Wales."

Mr. FREWEN seconded the Motion.

Mr. DISRAELI said, before the Motion was put, he wished to ask a question of the right hon. Gentleman who had introduced the subject in a manner so suspiciously silent. Last year when he (Mr. Disraeli) brought before the House the question of local taxation, the right hon. Gentleman favoured the House with a very ingenious speech, the object of which was to prove that the occupiers of land who are rated, did not, in fact, pay the rates, but that the owners of the soil paid the rates. Now, he wished the right hon. Gentleman, with that candour which distinguished him, would answer the question he was about to put. In introducing this project of law, what was his real opinion upon this highly important and interesting subject? Was it his opinion that the occupiers of land really did pay these rates? He assumed that to be the right hon. Gentleman's present opinion, as he was now proposing a representative government, which could only be the consequence of that conviction. If it was the conviction of the right hon. Gentleman that the rates were paid by the occupiers, and not by the owners of the soil, as he maintained last year, he would take leave to remind the right hon. Gentleman and his friends, on an occasion which would soon offer, that they ought to support the proposition which he should have the honour of submitting to the House. Instead of allowing the matter to pass silently, he trusted the right hon. Gentleman would rise and give a candid statement of his conviction on this important subject.

MR. M. GIBSON did not think that was quite the time to enter into the discussion to which the hon. Gentleman invited him. But he might be permitted to say, if it were true—as he had often heard from the hon. Gentleman—that the interest of the landlord and the tenant-farmer was one and the same, he surely would not object to the tenant-farmer having a voice in controlling the expenditure of the counties. This also might be admitted, that whatever on theoretical principles might be clearly shown to be the ultimate settlement as between landlords and tenants, after the rates had existed some time, yet the tenant had, in the first instance, to find the money. He would not go into a full discussion of the principle; but undoubtedly, if a large building, as a lunatic asylum or a gaol, had unexpectedly to be erected within a short period, and the whole sum necessary had to be raised on security of the county rates, and had to be repaid by instalments raised by those rates during the currency of leases, tenants having such leases would have rather a strong interest in controlling the original expenditure, because in any future bargain between landlord and tenant they could not get compensation in the shape of a reduction in rent, the money having all been paid, they having been called upon to find it all during the currency of their leases. Therefore, in that case, they had a clear and obvious interest in controlling the expenditure. He would not take up the time of the House further, believing that there was no opposition to the introduction of the Bill.

MR. NEWDEGATE thought the sums expended as county rates were so small, that it was not worth while disturbing the whole machinery of local government on that account. The erection of lunatic asylums and gaols was already controlled by the Home Office, as were all other large items of county expenditure. The right hon. Gentleman was proposing a large machinery for a most insignificant object.

MR. HUME said, the ratepayers in counties had an equal right with those in boroughs to control the expenditure of their rates. At present, the magistrates only had the control of the county expenditure, which was 1,000,000*l.* or 1,100,000*l.* — no insignificant amount. These rates fell most heavily on the small occupiers; it was, therefore, very properly proposed to give them a representation such as was enjoyed by the ratepayers in boroughs.

SIR R. H. INGLIS would suggest to the Government not to suffer Bills to be introduced merely for the sake of being read a first and second time, of the impolicy of which they were persuaded, and the discussion of which would only waste the time of the House. He imagined this was a Bill to supersede the functions of Her Majesty's justices of the peace; he believed the Government was opposed to the project, and he hoped they would at once declare their views. If the Bill carried in it the seeds of dissolution, it would be the most merciful course to put an end to it at once. If the Government were opposed to the principle it involved, let them take the earliest opportunity of stating so.

SIR G. GREY said, that to a certain extent he agreed in the remark that had been made, that if the Bill was one which the Government clearly meant to oppose, it was the best way to state that opinion when leave was moved for to bring in the Bill, in order to save the time of the House. But there were many Bills, in reference to which, from the short description given of them in the notice of Motion, and the brief statement usually made on moving their introduction, the Government could not tell exactly what they were. Of this class was the one which stood next in the paper, to be moved for by the hon. Gentleman opposite the Member for Hertfordshire, under the title of "a Bill to amend the rating of small tenements." He did not know the object of this Bill; he should not oppose its being brought in; but when it came to be discussed, there might be objections taken to it. The present Bill was certainly not one of that class which he could say the Government would certainly oppose. He presumed it was similar to the Bill of last year, introduced on the Motion of the hon. Member for Montrose, to which he (Sir G. Grey) had expressed himself favourable. The question arose whether it was desirable to read that Bill a second time, and refer it to a Select Committee, or appoint a Committee on the subject before the Bill was read a second time. Any opinion he might entertain as to the course to be taken this year, he wished to reserve; but most certainly this was not a Bill which he should say the Government would decidedly oppose.

Mr. STAFFORD said, that the question was whether the incidence of taxation fell upon the owner or the occupier of land; and with respect to this question, the right hon. Member for Manchester blew hot and cold. It was too much the habit of hon. Gentlemen opposite to announce what they called a great principle—to declare that they were determined to stand by it, and on the following evening to do that which would practically abrogate it. It was only last week the Mover of the Address told the House, that the incidence of property fell upon the owner of the land. Now, this great principle was qualified by the right hon. Member for Manchester and the hon. Member for Montrose. The principle was a vital one, and hon. Members must not be permitted to blow hot and cold with respect to it.

Mr. AGLIONBY had come to the conclusion that the whole of the interrogation on the opposite side of the House was a mere jest, because they had little to do that evening. He begged leave to inform the hon. Gentleman that they were not blowing any way but the one way. He did not care on whom the rate fell, but those on whom it fell should have a voice in the expenditure. He asked the hon. Gentleman the Member for Buckinghamshire whether he thought the magistrates or ratepayers could better administer the county rates? The magistrates were not elected, they were appointed by the lord lieutenant, and were irresponsible, in the usual acceptation of the term; yet they were the persons who made the rates. Was not that a mere farce, and should not those who paid the rates have a voice in distributing them? He thought the advice of the hon. Baronet the Member for the University of Oxford was a salutary advice, and that Government should consider well before allowing any Gentleman to bring in a Bill when there was no probability of their giving it their support. It often happened that, after discussing a measure Wednesday after Wednesday, the proposer, who depended on the support of the Government, found he had only their good wishes and not their support. With regard to this particular Bill, he understood it to be, with some minor modifications, the same Bill as that introduced last Session; and he was fully prepared to vote for the introduction of the Bill, and to give his support as far as possible to the details of it.

Sir J. PAKINGTON would willingly rest the question on the grounds upon which the hon. and learned Member had put it. He had maintained last year, and he maintained now, that it was the owner and not the occupier of land who paid the rates. The magistrates of England were the principal ratepayers, and nothing was more unfair than the distinction which hon. Gentlemen opposite wished to draw between ratepayers and magistrates. As the general disposition of the House seemed to be in favour of the introduction of the Bill, he should not oppose it, but should reserve to himself the right to take what course he thought fit with respect to it at a future stage.

Mr. FREWEN regretted that he was opposed in this matter by the hon. Member for Buckinghamshire and his friends. He had last Session supported the Bill of the hon. Member for Montrose on this subject, and since then he had received several communications from that division of Sussex which he represented, and from several farmers' clubs, thanking him for the course he had taken. The ratepayers in that division thought they had great cause of complaint, as the county expenditure from 1832 to 1843 had more than doubled; and had since 1843 further increased. It was one of the principles of the constitution that taxation and representation should go together. In the division of Sussex which he represented, there was a strong feeling in favour of financial boards.

MR. DISRAELI said, his hon. Friend the Member for East Sussex could not have been in the House when he addressed a few observations to it; therefore he begged to state to him that he did not say a single word in opposition to the measure introduced by the right hon. Gentleman opposite, but merely asked the right hon. Gentleman for a clear explanation of the principle on which he introduced it.

MR. HENLEY observed that the magistrates were responsible for the peace of the counties and the care of the gaols, and he hoped they might trust to the Government not to leave the responsibility of those matters in the hands of the magistrates, while they left the control of paying for them in other hands.

SIR G. GREY said, it was inconvenient to discuss this Bill without knowing exactly what it was. He did not intend to be inferred from anything he had said that he was favourable to the principle of excluding the magistracy from all interference in the assessment.

MR. HEYWOOD remarked that it was intended to leave the magistrate a large share of the power by the Bill.

Motion agreed to. Leave given.

Bill read a first time.

The House adjourned at a quarter before Ten o'clock.

HOUSE OF COMMONS,

Wednesday, February 6, 1850.

MINUTES.] PUBLIC BILL.—1° County Cess (Ireland).

HER MAJESTY'S ANSWER TO THE ADDRESS.

MR. LASCELLES reported Her Majesty's Answer to the Address, as follows:—

"I thank you for your loyal and dutiful Address.

"The expression of your sympathy in the loss which I and the Nation have sustained by the death of Her Majesty Queen Adelaide, is very grateful to my feelings.

"You may rely on My cordial co-operation in your endeavours to promote the welfare and happiness of all classes of My people, and to preserve and improve the Institutions which, under the favour of Divine Providence, this Country has long enjoyed."

ECCLESIASTICAL COMMISSION.

MR. HORSMAN wished to put a question, of which he had not given notice, but perhaps the right hon. Baronet the Secretary for the Home Department would be able to give an answer now. Allusion had been made on the previous evening to the late secretary of the Ecclesiastical Commission, and to some steps taken when the defalcation brought home to him had been discovered. He wished to know if it were true that the secretary had executed a deed of assignment before he went away? He had heard that the secretary did so, that the Government took steps to make him deliver up whatever he was in possession of, and that after executing the deed he was permitted to take his departure. He wished to ask whether this was true, and, if there were such a deed, whether there was any objection to produce it to the House?

SIR G. GREY was not able to answer the question precisely. When the existence of a defalcation was ascertained, his noble Friend the First Lord of the Treasury placed the Solicitor to the Treasury in communication with the Ecclesiastical Commission, in order that the most effectual steps might be taken for recovering whatever could be recovered. What the precise steps which had been taken were he did not know, but he understood from the Solicitor to the Treasury that he had taken those steps which he considered most efficient, in order to render the whole of the property available for that defalcation. No criminal proceedings had, however, been instituted against Mr. Murray, of whose present place of residence he (Sir G. Grey) was not aware.

PROCESS AND PRACTICE (IRELAND) BILL.

The SOLICITOR GENERAL said, he would shortly state the nature of the four Bills which he was about to ask leave to introduce for the amendment of the law in Ireland. The first Bill was for the purpose of regulating process and practice in the superior courts of common law in Ireland. The Act 2 William IV. was passed in order to produce uniformity of process in England; and the principal object of this Bill was to extend to Ireland provisions as similar to those existing here as the circumstances of that country would admit. In England, when a personal action was commenced, a writ of summons was issued, and the defendant was bound to appear within four and plead within eight days; the consequence of which was, that judgment was speedily obtained if the case went to trial; or if the defendant did not appear to plead, it went by default. In Ireland the proceeding was much more tedious. The first step was a *capias ad respondendum* requiring the high sheriff himself to take the body of the defendant, and produce him on the first return day of the ensuing term. Upon the defendant, however, applying to an attorney, he learned that he need not appear till eight days after the return day; and if in the meanwhile the term expired, then he need not appear till eight days after the return day of the next term. The effect of this was to produce great delay, and many consequent evils. If, for instance, the writ issued on the last four days of Trinity term, the defendant need not appear until the eighth day of Michaelmas term; and if the greatest despatch were not used, it would not be necessary to plead for twelve days subsequently to that period, so that it would not be possible to give notice of trial or obtain judgment before January or February. This gave the dishonest debtor an opportunity of disposing of his property in the mean time; and it was with the view of extending the provisions of the Uniformity of Process Act, that this Bill was proposed. He believed there was considerable difficulty in serving processes. The person employed made an affidavit of service, and the attorney verified that he believed the process had been sevved. This was a course which led to great abuses. In this country persons had been found to make affidavits, believing they were mere matters of course, when no service had been effected. The Bill proposed that the process servers of the civil bill courts should be employed for a small fee in the superior courts. There might be, and were, objections to this, and it was proposed simply as a remedy against the present evil. Another provision in the Bill was to establish uniformity of practice amongst all the courts in Ireland. At present there was considerable disagreement between the practice of the various courts, which, in point of fact, amounted to little more than a snare upon the practitioner. It was considered in Ireland a desirable thing that there should be continuous *nisi prius* sittings, and it was proposed to effect that object by providing that all the puisne judges should sit each term in rotation, except during those days when a full court was requisite, which would bring it to the turn of each judge about once every three years. It proposed, also, that there should be uniformity of process in the different courts of Ireland. The offices of all the courts were to be consolidated, with the view of having the writs served out with facility, and a saving in the expense of officers would thus be effected. Another object was to produce an equalisation of business between the various courts. In the seven years ending 1848, he found that the number of processes in appearance was—in the Queen's Bench, 70,393; in the Exchequer, 78,250; in the Common Pleas, 23,749. The writs of restitution were—in the Queen's Bench, 31,674; in the Common Pleas, 8,809; in the Exchequer 4,059. The causes under trial were—in the Queen's Bench, 729; in the Exchequer, 1,161; in the Common Pleas, 107. It was a very desirable thing that the judges of the latter court should have full business, in order that those of the other courts should not be overwhelmed. The measure, however, would not equalise the criminal business which belonged to the Queen's Bench, nor the revenue business which belonged to the Court of Exchequer. There were many minor details into which he would not enter; but he proposed to allow some time to elapse before the second reading of the Bill, during which the matter might be well considered by the parties interested, in all its bearings. He had received, but only to a limited extent, opinions from the Irish Judges upon the provisions of the Bill. One or two of these dignitaries stated objections to certain points with respect to which the opinion was not at all unanimous; but as regarded the greater portion of the Bill, he thought that no material difference of view existed amongst the functionaries in question. In conclusion, he had only to acknowledge the courtesy of the hon. and learned Member for the University of Dublin, whose purpose it was to have brought in a Bill of this description last year, but who upon being made acquainted with his (the Solicitor General's) intention to introduce the present measure, at once wrote to him, expressing his satisfaction that Government had taken the matter up, and placing at his (the Solicitor General's) disposal all the information which he had collected on the subject.

MR. MULLINGS would throw out a

suggestion to the learned Solicitor General, that in framing this Bill, some provision for the serving of legal process during the long vacation in Ireland, between the 12th of August and the 5th of October, should be made in it.

The SOLICITOR GENERAL said, he would give the suggestion his consideration.

MR. SADLEIR said, he felt in common with a very large portion of those who were interested in the law reform of Ireland, the great services which the hon. and learned Gentleman had rendered by devoting so much of his time, ability, and industry to the removal of those legal impediments which so seriously stood in the way of agricultural improvement and the advancement of trade and commerce in Ireland. He (Mr. Sadleir) quite agreed in the principles which had been stated by the hon. and learned Gentleman. If he had anything to complain of with respect to the present Bill, it was that the proposed reforms were not more extensive. With reference to the question of service, he thought the hon. and learned Gentleman had been happy in the selection of those parties to whom he intended to confide the service of law process in Ireland. They were men who were appointed after a careful investigation into their previous life and conduct, and they were vigilantly watched over by the assistant barristers in each county. But one of the greatest and most serious evils connected with the service of law process in Ireland was the gross injustice that arose from the fact, that, as the law now stood, it was wholly impossible to effect a service of law process upon a certain class of debtors in Ireland. He alluded to those who might be possessed of landed revenues in that country, and who might avail themselves of the premium which the present law held out for absenteeism. There was no speedy process for reaching persons of that description. With reference to the dreadful delays which took place in Ireland, and, perhaps, in this country too, with respect to the disposal of new motion trials, he wished the hon. Gentleman could devise some plan by which those new motion trials could be taken in the first instance, and not hang on from year to year. He was happy that in the projected amendment of the law, the practice of compelling attorneys practising in the law courts in Ireland to be continually making affidavits would certainly be diminished, and he could wish it were done away with altogether. With reference to actions of ejectment, he did not know whether it was contemplated by the present Bill to simplify the process by which parties proceeded by ejectment to obtain repossession of their land in cases of non-title or of non-payment of rent. Nothing could be more vexatious, more tedious, or more inconsistent with plain justice, than the present procedure in actions of ejectment; and if it were possible for the hon. and learned Gentleman to introduce anything into the present Bill which would lead to the simplification of proceedings by which parties could regain possession of their land when necessary, it would be conferring an immense advantage, not merely upon the landlord, but the tenant-class in Ireland.

MR. W. FAGAN expressed a hope that the Government would consider the propriety of extending to Ireland the system of county court jurisdiction which had been established in this country.

MR. NAPIER said, that although he would not pledge himself to all the details of the measure proposed by the Solicitor General, he believed that it would be generally regarded by all parties in Ireland as very great boon. He considered that if measures of this kind were carried out in a fair spirit by both sides of the House, they would conduce very materially to the welfare of that country.

MR. HEADLAM thought that England also had some claim to improvement in the administration of her laws. In Ireland the Solicitor General would earn a great name for the improvement of the law of property, and there were many circumstances which rendered it important that similar measures should be introduced for the improvement of the law in this country.

Leave given.

COURT OF CHANCERY (IRELAND) BILL.

The SOLICITOR GENERAL then moved for leave to bring in a Bill to simplify and improve the proceedings in the High Court of Chancery in Ireland. The Bill had been perused by the Lord Chancellor and the Master of the Rolls in Ireland, and both those learned persons had expressed their general approval of the objects of the Bill.

MR. GRATTAN inquired whether the measures proposed by the Government would at all affect the equity side of the Court of Exchequer in Ireland?

The SOLICITOR GENERAL said,

the Bills of which he had given notice did not refer at all to the Court of Exchequer in Ireland. He believed that it was the intention of the Government to propose a Bill relating to the equity jurisdiction of the Irish Court of Exchequer, but he was unable to say when such a measure would be submitted to the House. The first object of the Bill he now asked leave to introduce was, to get rid of the prolix system of pleading which existed in the Court of Chancery, and to substitute a short statement of facts by way of petition, instead of the present prolix statements by way of Bill. The petitioner might append to the petition such interrogatories as he thought fit, which any respondent to the petition might be called upon to answer; and the petition was to be accompanied by a short affidavit, stating the correctness of any facts which required verifying. The effect of this change would be, that the matter at issue would come much more speedily before the Court; and the practice of filing pleas and demurers, which led to such unnecessary delay, would be put an end to. The Bill proposed that the Court, upon hearing the petition, might make an order upon it, either with or without an examination upon the interrogatories; and that it should be at liberty to make any further orders in the same matter upon motion. The Bill also proposed to enable the Court to take evidence *vivâ voce*, in such cases as it might think fit. Those cases, he apprehended, would not be very numerous; because generally, when the Court thought it necessary to obtain evidence *vivâ voce*, it would probably deem a jury the best tribunal for deciding the question. By these means they would get rid entirely of bills of reviver and supplement. In many cases which came before the Court of Chancery, the only question in dispute was the construction of some particular instrument, the construction perhaps of five or six words in a deed, or of a couple of clauses in a will. Now, by the law of Scotland, there was a power by action of declarator of ascertaining the opinion of the Court in cases of this kind. This Bill proposed that, in such cases, when there was no other matter in dispute between the parties, they should have the power of taking the opinion of the Court upon a statement in the nature of a special case, merely stating what the point was upon which the opinion of the Court was desired. The Bill also proposed a change with respect to cases referring to the mere administration of assets. As the law at present stood, for instance, if a question arose as to the accounts of an executor, there were long preliminary statements by bill, which were only a matter of expense, and were of no benefit to the parties. He proposed that matters of this description might be brought before the Court by a short petition, and that the Court might at once refer them to the Masters. He proposed, also, that the Lord Chancellor and the Master of the Rolls should have power to make orders to carry out these measures, and to enable the Masters to deal with cases of this kind. It was proposed also to limit the time in which appeals might be made from the Masters to the Court, and from the Court to the House of Lords. He thought that probably a month in the first case, and a year in the second, might be fixed as the time in which the appeal should be a matter of right; but he only mentioned this as a suggestion, for the period would, of course, be determined in Committee. It would probably be necessary to take some means to prevent prolixity in the petitions; but this, he thought, would be best effected by the general orders of the Court. Sir Edward Sugden, the Master of the Rolls, and other Judges, had, he believed, been desirous of adopting general orders, with a view to avoid prolixity; and this was, he thought, a matter which it might be left to the Judges to carry into effect. With respect to the minor details of the measure, he might mention that it was proposed that the secretary of the Lord Chancellor should receive a stated salary, instead of being paid by fees; and that the Master of the Rolls in Ireland, who had not at present a secretary, should have the assistance of such an officer.

Mr. F. FRENCH said, that if these alterations were so essential, they should also be extended to England. The hon. and learned Solicitor General had been complimented upon the Encumbered Estates Act; but it could not as yet be said whether it was likely to work well or not. It seemed that additional expense was to be incurred when three-fourths of the business of the court was about to be taken away. Under no circumstances should there be the appointment of a new officer.

Mr. GROGAN said, that the scheme proposed by the Government, as sketched out by the hon. and learned Solicitor General, would simplify proceedings in the Court of Chancery in every possible point of view—both with regard to time, expense, and the vexatious and harassing annoyances which attended proceedings in that court. He thought it was a matter of regret, if the Court of Chancery could be so easily reformed, that they should have recently created a new and anomalous tribunal under the Encumbered Estates Act.

MR. SADLEIR said, his experience led him to believe that the measure proposed by the Solicitor General would be attended with most important and beneficial effects. He had no doubt that one of the immediate consequences of the adoption of this Bill by the Legislature, would be the speedy extension of a similar measure to this country, because the evils which it was intended to remedy existed in equal force here as in Ireland. He had almost daily opportunities of witnessing the frightful oppression and wrongs to which agriculture and commerce were subjected in this country, in consequence of the absurd, unjust, and prolix proceedings of the Court of Chancery. There were three palpable and important defects in the Courts of Chancery in this country and in Ireland. Both those courts were defective in their modes of proof, in their modes of trial, and in their modes of appeal. The present Bill would, to a certain extent, though not to the full extent he desired, effect an amendment with regard to the mode of proof adopted in those courts. The hon. and learned Gentleman proposed to grapple, to a certain extent, with the prolix system of written pleadings, and to give a certain discretionary power to equity judges in Ireland to substitute for written depositions *vivâ voce* evidence. He believed that the system of written pleadings was the very best that could be devised for clouding the truth with exaggeration and fiction, and he was satisfied that it frequently led to the defeat of justice. Indeed they often found, in most important and critical questions, that the Court of Chancery, after vainly endeavouring for years to ascertain the truth, was obliged eventually to send questions of fact to be determined by a jury. The present Bill would remove many absurdities; he believed it would be a successful experiment, and he hoped to see it followed by a still more complete amendment of this department of the law.

MR. W. P. WOOD viewed the introduction of the Bill with great satisfaction and delight, and he was only sorry that it was to be confined to Ireland. He was anxious to ascertain whether there were any peculiar differences between the practice of the Court of Chancery in Ireland and that in England, to account for the Bill being confined to Ireland. The hon. and learned Solicitor General had stated the grievances which he proposed to remove, to be the difficulty of bringing causes to hearing; the imperfect mode of collecting evidence; the delays with regard to the bills filed in the court; the great inconvenience of the bills of revival and supplement; the great difficulties of bringing single points on which parties might wish to be advised upon their rights, without having to lay all their affairs before the open court; and the enormous expenses attending all the proceedings. Now, all these inconveniences existed in the same, if not in a more aggravated form in England; and therefore, in proportion to the satisfaction he felt in having them remedied in Ireland, was his dissatisfaction at not having them remedied in England. The hon. and learned Member for Coventry, at the conclusion of the last Session, stated that it was impossible to continue the present state of things in the English Court of Chancery any longer, and that if no measure for its reform were proposed by the Government, or any hon. Member, he would himself introduce a Bill for the purpose. He (Mr. Wood) thought it would be more satisfactory that Her Majesty's Government should bring forward such a measure, than that any hon. Gentleman should do so, although there was no one more able or better qualified than the hon. and learned Gentleman the Member for Coventry; and he trusted that even yet, before the termination of the Session, such a Bill would be introduced. No time should be lost in a case which gave rise to so much pain, misery, vexation, and ruin. It was almost too light and ludicrous a mode of description, yet he hoped he would be forgiven for repeating the definition of the Court of Chancery given by one of the most eminent and learned practitioners in it—which was, that it was a great machine for grinding down the landed interest into three per cent consols, and then distributing it in the shape of costs. He did not find any mention made by the hon. and learned Solicitor General of the Masters' offices. Probably they did not require reformation in Ireland. If not, they most certainly required it here. Reformation in the Masters' offices in England would form one of the most essential points of a measure for this country of a nature similar to that before the House. There was no blame to be attached to the Masters themselves; but the system and mode in which business was conducted in that branch of the court, made it impossible that there should not be an enormous portion of the delay and expense incident to our Court of Chancery attributable to that department.

Mr. HENLEY thought it would be impossible to resist the extension of the measure to England. The Government had been obliged to introduce a Bill for the purpose of simplifying the mode of dealing with encumbered estates in Ireland; and he thought that one of the effects of some of their late legislation would soon be, to reduce the landed property of this country to a condition similar to that of the encumbered estates in Ireland. Before that event occurred, he thought it would be well to give them the advantage of the important machinery provided for Ireland. And when the same evils existed in England as in Ireland—and they had heard from the Member for the city of Oxford they did exist—he could not see why words should not at once be introduced into the Bill which would extend its application to England. If that were not done in its earlier stages, or some promise given of a similar measure for England, he would take the sense of the House upon the subject at a future stage. But it was certain that the union between the two countries would never be complete until the laws in both were made precisely the same. The making any difference was only continuing the evils under which the connexion between the two was now labouring. A reformation in the Masters' offices was most wanted in England; but if they could not have that immediately, let them not at all events be shut out from the advantages that were about to be given to Ireland.

Mr. M'CULLAGH thought that the exposition given by the hon. and learned Solicitor General, of the purpose meant to be effected by the Bill, would tend very much to allay feelings of distrust and dissatisfaction with which the public mind had recently been filled upon this subject in Ireland. An impression had for some time prevailed in that country that the Government entertained projects for the gradual, if not immediate, abolition of the courts at Dublin, and the centralisation of the supreme judicatures here. The introduction of any new measures dealing with those tribunals, was certain, therefore, to excite, in the first instance, no ordinary curiosity, and their details would doubtless be scrutinised with some degree of jealousy. The statement, however, which had been given of the scope and provisions both of the Bill then before the House, and of that respecting the three courts of law, might, he hoped, be taken as an indication that the apprehensions to which he had referred were destitute of foundation. In any case, he felt satisfied that the best security that could be given to the permanence and independence of the Irish courts, whether of law or equity, would consist in the removal of those blemishes and evils which, in the course of time, were sure to be found in all human institutions. With regard to the objection raised by the hon. Member for Roscommon, to providing the Master of the Rolls in Ireland with a secretary, he must say that he considered the creation of such an office most just and reasonable. Every other equity judge in the realm had such an assistant in the discharge of his duties; and he (Mr. M'Cullagh) had no hesitation in stating that he believed one eminent Judge, in his anxiety to discharge faithfully the laborious functions of the Mastership of the Rolls, had suffered most severely in health. He alluded to the late Sir M. O'Loghlen, whose early loss the public and the profession had so much cause to deplore. Many of the hours which ought to have been devoted to repose, were devoted to the minute examination of documents and papers connected with the business of his court; and there certainly was no judicial office in which the assistance of a properly qualified person who should act as secretary was more required.

Mr. MULLINGS would give an instance which came within his own knowledge, of the oppressive nature of proceedings in the Court of Chancery. A gentleman left the country in the year 1817; he left the care and management of his farm to his brother, who continued to work it for him until the year 1822, when he returned, and received an account from his brother of the working of the farm, the balance at foot of the account being between 400*l.* and 500*l.* A quarrel shortly afterwards took place, and the affair was thrown into the Court of Chancery, where the first demand was an account of the receipts. That having been rendered, the brother was told to clear himself as to the expenditure by vouchers and stamped receipts, as they only would be accepted.

To procure them he had to scour the country, and obtain between 300 and 400 affidavits, and the discussion continued from 1824 to 1837. The result was, that the balance proved was 79*l.* instead of 500*l.*, and the costs, which amounted to 1,700*l.*, were divided between the parties.

MR. WALPOLE could not help joining his voice with others for the extension of the operation of the Bill to England, if it should be proved to be a well-considered measure. The hon. and learned Member for Oxford city had intimated to the House, that the hon. and learned Member for Coventry, than whom there was not a person in the profession more qualified to pronounce an opinion upon the subject, was desirous of bringing in a Bill for the reformation of the Court of Chancery as soon as it could be prepared. But if Her Majesty's Government would undertake the production of such a measure themselves, he knew that no one would be more ready and willing than his hon. and learned Friend to communicate his views and intentions to them. In case the Government should think it advisable to extend the provisions of the Bill before the House to England, he was certain they would receive not only the concurrence of the Chancery practitioners in the House, but also that of the practitioners at large. In his opinion, they were bound to remedy evils of such magnitude as were admitted to exist in the practice of the Court of Chancery as soon as they were exposed. But the chief evils were not so much in the mode of pleading, as in the expense and delay of Masters' offices. The great disadvantages of these offices were, that, in the first place, no publicity was given to their proceedings; and, in the next place, that the proceedings by warrants were not carried on *de die in diem*, or, as he would have them, *de hora in horam*, but were broken up and continued from time to time. No good would be accomplished until the system of warrants was done away with. The parties should be compelled to go on with the inquiry in the Master's office, as they would be obliged to go on with the cause itself when it was once set down upon the paper for hearing. He firmly believed that not one quarter of the evils of the Court of Chancery, at least in England, would be remedied, until the proceedings in the Masters' offices were thoroughly reformed. In Ireland, Sir Edward Sugden, when Lord Chancellor, had done this to a great extent. They were there required, as far as they could, to continue the proceedings *de die in diem* until concluded. Whether that system were still in operation, he did not know. But, at all events, he knew that it was a good one. With respect to these changes, he thought that his hon. and learned Friend the Solicitor General would do well if he would send the Bill before a Select Committee previously to its coming before the House for discussion. And when the time for discussing it came, he trusted that hon. Gentlemen would attend, and not leave it entirely in the hands of lawyers. By thoroughly debating it, it might then be sent forth in a more perfect state.

Leave given.

REGISTRATION OF DEEDS (IRELAND) BILL.

The SOLICITOR GENERAL said, he now rose to ask for leave to bring in a Bill to amend the laws relating to registration in Ireland. He must, in the first instance, explain the peculiar defects of the present system, and then he would state what was the remedy he proposed. The House would observe, that the question of registration was different in England and in Ireland. In England, with the exception of Yorkshire and Middlesex, there was no proper system of registration. In Ireland there was a very stringent system; but it contained several important defects, which it was the object of the present Bill to remedy. In considering what registration should be, the important point was that you should have a register of every document and every fact connected with every person who had dealt with the land, and that those facts should be easily ascertained. The defects of the Irish register were, that the mode of registering was exceedingly inaccurate, and that the facts were most difficult to be got at. What was registered in the first instance was a memorial of the deed. He had not found that there was any desire to suppress facts in those memorials, but the persons registering only inscribed what they thought material, leaving you to ascertain the facts you might require as you best could. The great object in a register was to obtain an entire disclosure of the transaction; but in the present register you had it only mentioned that certain persons had dealt with the land. There were no means of establishing their identity, nor was any description of the lands given; so that whether the whole lands had been dealt with or only part, or whether other lands had been included, you had no means of ascertaining. These difficulties arose from the nature of the indices kept in the Masters' offices. Now, unless you had a register which gave you the particulars of every deed likely to affect you, such register was only calculated to be a snare to the purchasers of land; and it would be better to have no register at all. To the Irish register as at present kept, there were two indices—an index of names and an index of places. The difficulties in the index of names were so great that it was almost impossible to establish the identity of the name on the register with the person who had dealt with the land. Perhaps, in corroboration of this view, he might quote a short extract from the report of the Committee on real property. [The hon. and learned Gentleman here read the extract, the effect of which was to show that the frequent recurrence of common names on the register, rendered the establishment of identity very difficult, and, in some cases, impossible.] Under these circumstances, wherever the title was complicated, the expense of search was enormous. On the index of the Middlesex register there were 50 pages occupied with one letter, and only 39 different names in the whole. A search consequently sometimes occupied ten days, and cost 200*l.* or 300*l.* In some cases, when the name was a common one, the establishment of identity became impossible. The index of places also, when improperly managed, became a great evil. The original statute establishing a register of lands in Ireland, the 6th Anne, c. 2, evidently contemplated a very complete system of registration, for it enacted, that a calendar of the lands should be appended, giving the baronies and all other necessary details. That, however, had not been the practice with the Irish register, but merely the keeping an index of the lands from year to year; the result was, that it never could be ascertained whether the property had been dealt with without making what was called the negative search, and ascertaining the names of all persons who might have an interest in the property. The expense of this was often enormous. Mr. Pierce Mahoney had, in his evidence, instanced one search of which the cost was 2,000*l.* This operated so as to make it impossible to dispose of small properties at all, the expense of search being the same with a property worth half a million and one worth half a thousand. Who would think of selling a property worth 500*l.* if the expense of searches was to be from 300*l.* to 400*l.*? This evil was so great, that it was a matter for consideration whether or no it would be better to abolish the system of registration in Ireland altogether. He would now state the remedies which he proposed. He should mention, however, that the plan upon which they proceeded was founded to some extent on that which was adopted by a gentleman, now unhappily deceased, who was an eminent member of the Real Property Commission, Mr. Duval, and who, it might be remembered, had prepared a Bill for registering all property in England and Wales. But it was thought, that in some respects the machinery of that Bill was cumbersome, and inadequate to meet the object in view. Therefore in some particulars the plan of that measure had been departed from. It was proposed by the measure he was about to introduce, to make use, in the first place, of the trigonometrical survey which had been made in Ireland by the Ordnance Department, for the purpose of forming a complete land index. They proposed to make use of the maps which had been prepared under that survey, and to provide that the commissioners, or whoever should have the management of that registration, should have indices based on those maps—that was to say, taking any particular county, and in such county any particular barony, and descending to the townlands and the subdenominations to the property to be registered, and so make a regular index of all in reference to the map. In that case they would have figures or letters which would correspond with those on the map to describe the particular part of the land, and the division in which it was placed. Then he proposed to have a reference from this land index to another index, which should be called an index of titles, in which the letters and figures would correspond with the first, and which would show the manner in which the land had been dealt with—that was, it would there appear that A B, for instance, had bought or sold to C D a certain property, in a certain townland, barony, or county. By this means a full index of all particulars relating to the property, and a ready reference to the deed in the office, would be obtained. In this index of title they proceeded very much on the plan drawn up by Mr. Duval, in his Bill. Where two properties afterwards became united, the one being in one index and another in another, a new heading might be opened, so as to bring them together. He would not go further into these matters of detail, but might state generally that the Bill proceeded in this respect on the principle of a ledger account

—there should be first an index of land, to show what the property was, which would be tested by an index of title. It would also be necessary to have a further index where the ability to deal with the land was temporarily or permanently suspended, as, for instance, in the case of the grantor dying, and some person coming forward to claim the property or any part of it, either in the character of heir or devisee. In that case it would be necessary to have an index of wills with reference to the testator's name, and the day on which the will was registered. Any person then could readily ascertain what were the intentions of the testator, and what title was given under the will. In this country there was a most perfect system of registration of wills, which had been framed for fiscal purposes only, under which any will could be found in a moment, together with the name of the testator and executors. And the experience of that system in this country induced him to propose its extension to Ireland. Another case of disability must also be provided for, as that of bankrupts or insolvents. An index of such names would enable persons to ascertain without much difficulty how land had been dealt with under bankruptcy or insolvency, and whether any person who claimed to deal with the land had a right to do so. The House would be aware that there were instances in which the surface of the land might be in the possession of one person, and that rights arising out of the same property might be vested in others—as in the case of mines—and if they had only such an index as he had stated, they would have an account only of how the surface had been dealt with; but under another letter he proposed to provide the means of ascertaining how the minerals or any rent-charge arising out of the land, which lawyers termed incorporeal hereditaments, had been dealt with. It was proposed also that the documents which were registered under this Bill, should have priority over all other registration documents; for if the doctrine of notice, as it was called by the courts of equity, were allowed to intervene, it would put an end to any efficient system of registration whatever. It was proposed to put an end to the doctrine of notices, decrees of court, civil-bill processes, and the like; and it would be open for any person to ascertain at once the true history of the land he was about to purchase without difficulty or expense. It was the more important that such a provision should be made now that the Act for the sale of encumbered estates was in operation, as under that Act a clear and unencumbered title would be given; and as it was important to preserve it, they would have the opportunity of doing so, now by this system of registration, which he believed would remove the evils which existed under the present system, and at the same time secure perfect facilities of ascertaining the real title of the property so as to make it a marketable commodity in the hands of the owner. That was the object of the measure, and under it he believed it would no longer be necessary to have those voluminous and complicated deeds, which in Ireland far exceeded anything that was known in this country, extending as it often did to several sets of deeds executed by several sets of parties for the conveyance of one estate. He hoped the House would allow him to introduce the measure, and they would hereafter have an opportunity of examining the details as to how far they bore out the statement he had made, and the objects the Government had in view.

Leave given.

JUDGMENTS (IRELAND) BILL.

The SOLICITOR GENERAL again rose and moved for leave to bring in a Bill to amend the laws concerning judgments in Ireland. It would be remembered that in the last Session of Parliament he brought in a measure on the subject of judgments, founded on the report of the Receivers Committee, which contained much valuable information. The evils of the law respecting judgments in Ireland were of two descriptions—the one as it affected the due management of land, and the other as it affected the power of disposing of it. By the existing system, a receiver might be appointed by any person who had obtained a judgment against the owner of the land, subject only to the limit of 150*l.*, under the Bill of last year. He proposed by the present meaures that the judgment should not be a lien on the land in the hands of the judgment-creditor. Judgments were originally intended as nothing more than a means of enabling a man to obtain payment of a debt which had been adjudged to be due to him. If the judgment was not discharged, execution might issue, the land might be sold, the creditor would get paid, and the remedy was complete. But unless the Encumbered Estates Commission were made permanent, there was now no machinery in Ireland by which this could be accomplished. As that Commission, under the Act which established it, was limited to three years' duration, it would not do in a measure of this kind to adopt that mode of enforcing the payment of the debt. At present the judgment-creditor had a general charge on the whole of the lands, and it was now proposed that he should have the power of registering his judgment, and saying on what lands or what part of the property it should apply; and then, it should have the same effect as a mortgage in fee. The judgment-creditor would have all the rights of a mortgagee, as against the particular lands specified, while the evils which now prevented the sale of any part of the property would be removed. It was also proposed that no judgment should affect lands purchased subsequently, and that the creditor should only register his judgment as against the land belonging to the debtor at the time of the judgment. It was proposed also to provide that existing judgments should not be a charge upon any land bought by the judgment-debtor, after the passing of the Act. This was a provision which he was aware was open to doubt and question, but he thought that the House would see the importance of carrying it into effect. In the first place, such land could have formed no portion of the original contract between the debtor and creditor—the creditor could only have expected to have a charge upon that land which the debtor possessed at the time the debt was contracted. If the opposite principle were acted upon, see how it would operate under the Encumbered Estates Act. Suppose a person purchased an estate, and obtained a title under that Commission, as he would do, which was good against the world; but having purchased, he desired to sell: the moment he did so, however, all the evils of the Irish system came again into operation. Supposing his name to be John Smith, the registrar would find, perhaps, fifty John Smiths having judgments against them, and he would have to give satisfactory proof in each of these cases to the purchaser, that each of these judgments was not against him. If the party resided in this country, how could he know, for instance, that John Smith, now of Oxford-street, was not the John Smith, of Holborn, in 1835, against whom he saw a judgment marked. This, obviously, would prevent the lands purchased under that commission being as available in the market as they should be, and no other remedy occurrred to him than to provide that existing judgments should not be a charge upon the land bought subsequent to the passing of the Act, or some other stated period. Another evil in Ireland was, that judgments were only required to be registered every twenty years. In this country they must be registered every five years, and he saw no reason why, in this respect, the law of the two countries should not be assimilated. He should, however, be willing to accede, if it was thought more advisable, to a period between the two, though he should prefer to substitute the five for the twenty. But this was not all the difficulty. Under the recent Act it had been held, though no decision had been given, that the judgment as the law stood was a charge on the land of the judgment-debtor, and a judgment against the judgment-debtor was a judgment against the same land only once removed. This doctrine, if it once prevailed, might go on *ad infinitum*, so that it would be absolutely impossible to make such a title good. He proposed to introduce a declaratory clause, to say that that was not the meaning of the Act in question, and that a judgment on the land, as against A, should not be deemed as a judgment against B. Such were the general provisions of the measures he had to propose, and of which he should be happy to give any further explanation that might be required.

Mr. NAPIER admitted the desirableness of assimilating the law of the two countries in regard to the registrations of judgments. The remedy proposed as to future judgments was somewhat startling. At present the judgment stood against all parties as the security to the creditor, and in Ireland it was the commonest kind of security; but it was now proposed to alter the law in this respect altogether. He thought some provision should be introduced with regard to costs, for he had known cases where large estates had been brought into court at the instance of one judgment-creditor to a small amount, a receiver appointed, and the estate saddled with the costs.

Mr. SADLEIR conceived that the laws of the two countries should be assimilated as far as possible, especially those relating to real property. He thought it advisable to discourage as far as possible the practice of placing encumbered estates in the hands of court receivers, and that it would be advisable to substitute for it increased facilities for the conversion of that land, in order to pay off the debts. It was the interest of both the creditor and the debtor, that whatever security was given for money due, should be as convertible as possible. It would be desirable also, he thought, to introduce into Ireland that which was at present unknown there—the system of foreclosure, and to put an end to the practice of creditors' suits.

Leave given.

CEYLON.

MR. HAWES moved for the reappointment of the Select Committee of last Session to inquire into the grievances complained of in Ceylon.

Motion made, and Question proposed—

> "That a Select Committee be appointed, to inquire into the grievances complained of in Ceylon, in connexion with the administration and government of that Colony, and to report their opinion whether any measures can be adopted for the redress of any grievances of which there may be shown just reason to complain; and, also, whether any measures can be adopted for the better administration and government of that Dependency."

MR. HUME wished to know why British Guiana had been left out of the Motion this year?

MR. HAWES said, that the Committee of last Session having made a report on that colony, he was not aware of any reason for instituting further inquiries respecting it.

MR. BAILLIE: Sir, before the Motion of the hon. Gentleman the Under Secretary for the Colonies is agreed to, I wish to trespass for a short time on the attention of the House. Perhaps I ought to apologise for alluding, in the first place, to a matter in some degree personal to myself, but as it affects the privileges of this House, I hope I shall be excused for doing so. Among the papers presented to the House by the Colonial Office, with reference to the colony of British Guiana, there are two despatches from the Governor of that colony, in which the Governor and also the Attorney General of the colony, take upon themselves to criticise a speech said to have been delivered by me in this House, and which they allege to have quoted from the *Times* newspaper. The Governor of British Guiana not only charges me with inaccuracy, but goes so far as to say that the charges made by me in this House as to the official salaries in British Guiana must have been made with the intention of deceiving. That is a grave charge to make against a Member of this House; but it is a still graver charge against Her Majesty's Government; for it so happens that the statement made by me on the occasion referred to, with respect to the official salaries in British Guiana, was made from a document furnished by the hon. Gentleman the Under Secretary for the Colonies. It would never have occurred to me to charge the Colonial Office with a wilful intention to deceive. I should never for a moment have supposed that the hon. Gentleman the Under Secretary for the Colonies would have willingly misled any person. But Governor Barkly has made this charge, and I suppose that he must be better acquainted with the practice of that department of the Government than I can be. The facts are these. A friend of mine, a proprietor in British Guiana, was anxious to ascertain the mode in which the revenue of that colony was disposed of. He had no means of obtaining the information except by application to the Colonial Office. I wrote a letter, therefore, to the hon. Gentleman the Under Secretary of the Colonies, requesting to know whether, as a proprietor in British Guiana, and as one having an interest in the affairs of the colony, he would have any objection to furnish me with a correct return of all official salaries in the colony. An obliging answer was returned, to say that the return should be furnished me; and in process of time I received the document in question. Now, Sir, I was aware myself that there were some not very unimportant inaccuracies in that document; and the hon. Gentleman the Under Secretary for the Colonies will remember, when I asked him to have that document printed for the use of this House, I stated that I believed it to be inaccurate, and I requested that he would correct certain inaccuracies in it. But what was the hon. Gentleman's answer? Why, that he knew nothing of the inaccuracies; that he had given out the document as he had received it from the colony; that if there were inaccuracies in it, it was not the fault of the Colonial Office, but of the authorities in the colony who furnished it; and that, therefore, he would not take upon himself to alter it. So that I have been accused by the Governor of those blunders and mistakes for which the Governor himself and those acting under him are alone to blame. I must now, Sir, beg leave to call the attention of the House to a breach of privilege which I think has been committed. I wish to know, Sir, whether this House sanctions the practice that speeches made by the Members of this House are to be answered, not by hon. Gentlemen whose official duty it is to answer them in their place in Parliament, but by governors in distant colonies, and that answers should afterwards be published in blue books at the expense of the country? If what I stated was inaccurate, it was the duty of the hon. Gentleman the Under Secretary for the Colonies to correct my mis-statement, and expose my answer. If he could not do so, it must be assumed that he is unfit for the situation in the Government he occupies; but we know, however, that the hon. Gentleman is perfectly well qualified to discharge the post he fills. But if the hon. Gentleman did nor correct my statement, I think it must be inferred that he knew that what I stated was substantially correct. At all events he knew that the statements I made were made from documents furnished by himself. I have thought it my duty, Sir, to bring this matter before the House, not on account, however, of the paltry attack made against me, although made in terms so gross, but because I think that what I shall state to the House will convince it that the noble Lord at the head of the Colonial Office, in his eagerness to make a charge of inaccuracy against me, has only brought disgrace on the department over which he presides. I have thought it my duty to bring this matter under the consideration of the House, because I think the practice of the Colonial Office a most objectionable one, and one which, if persevered in, will lead to great public inconvenience; and, therefore, I hope that some expression on the part of this House will prevent a recurrence of it. But, Sir, before I leave the subject of Guiana, I beg to ask the hon. Gentleman the Under Secretary for the Colonies one or two questions with respect to that colony. The House will remember that the hon. Gentleman lost no opportunity, in the last Session of Parliament, of expressing the great satisfaction he had derived from the report of the Guiana Committee. He stated that the report entirely coincided with his own views, and with those of the noble Lord at the head of the Colonial Office; and that he so entirely approved of it that he would send it out to the Governor of Guiana with instructions for him to act upon it. I now ask the hon. Gentleman whether any of the recommendations of that Committee have been acted upon? There were about three recommendations offered in the report, which was certainly as meagre a one as could well be. The first recommendation was, that the salary of the Governor should be reduced. Now, I wish to ask whether that reduction has been effected? The second recommendation was, that a searching inquiry should be instituted with respect to the improper appointments made by the late Governor. I wish also to ask whether that recommendation has been attended to? The third recommendation was, that an alteration should be made in the constitution of British Guiana, but that it should be carried into effect in friendly concert with the colonial authorities. I wish to ask the hon. Gentleman whether that recommendation has been attended to? We are informed that the alteration has been made in the constitution of British Guiana; but, so far from the alteration having been carried out in friendly concert with the colonial authorities, the measure was forced through the Court of Policy by official votes, every one of the elected members voting against it. The measure was carried by the double vote of the Governor, and it became law, and the consequence was that, owing to the violence used, every elected member resigned his seat, and new members had to be elected. I will not now enter into the merits of that report—there may be another opportunity for doing so; but I say that the measure has been carried in the manner I have described, in direct contempt and violation of the Committee, and notwithstanding that the hon. Gentleman told the House last Session that he had sent out orders that these recommendations should be attended to. I trust that the hon. Gentleman will be able to give some explanation as to these circumstances; and I will therefore leave British Guiana, and proceed to the case of Ceylon. The House will remember that the Ceylon Committee made their report at the very close of the last Session of Parliament—at a period when, I think it will be no exaggeration to say, all the independent Members of this House had left town, and there only remained those whose duty, as the official supporters of the Government, it was to bring to a close the routine business of the House. It was under these peculiar circumstances that the noble Lord at the head of the Government thought it becoming to offer a most unusual insult to the Committee, by forcing his official supporters to give a direct negative to the report of the Committee, after I, as chairman, had consented to withdraw it. But even under these peculiar circumstances the noble Lord thought it necessary, at all events, to make a show of fair dealing; and he stated that if the Committee would again reassemble, and name the witnesses it might be necessary to send over to Ceylon for, Her Majesty's Government would take care that those witnesses should be in attendance when Parliament met, and that Committee should be reappointed. In consequence of this statement of the noble Lord, the Committee were induced to reassemble—very much, I am bound to say, against the opinion of my hon. Friend the Member for Montrose, who expressed his opinion that the Committee had been insulted in a way that no Committee had been ever insulted before, and who, therefore, objected to proceeding any further in the business. I thought, I confess, that the vote of that Committee was the vote of the official supporters of Her Majesty's Government, and not the recorded sense of the House of Commons. Under these circumstances I induced the hon. Member for Montrose to proceed, and the Committee reassembled; but it must be obvious to the House that the Committee could not comply with the request which came from the noble Lord. It was impossible that the Committee should name the witnesses. For what were the facts of the case? Certain charges of a grave and serious nature had been made against the Governor of Ceylon by parties residing in the island. It was, therefore, impossible for the Committee to ascertain the truth or falsehood of these charges, without calling on the parties who made them to bring forward evidence to support them. Under these circumstances the Committee certainly named two witnesses, but they were named at random. Feeling their inability to name the required witnesses, they came to the following resolution:—

> "*Resolved*—That the Chairman be authorised and requested to communicate with Her Majesty's Secretary of State, as to the necessary witnesses to be ordered home to give evidence before the Committee to be appointed in the ensuing Session."

That resolution was proposed by my hon. Friend the Member for Montrose, and, in proposing it, he explained its object. He told the Committee that the object of it was to enable the chairman to write out to the parties in Ceylon, in order to ascertain from them the names of the witnesses, which should be afterwards communicated to the Secretary of State. That resolution was agreed to unanimously. The hon. Gentleman who represented the Colonial Office, I have no objection to state, said that it was quite right that the chairman should communicate with the Secretary of State. So that the hon. Member for Montrose and myself were left under the impression and conviction that the course proposed by the Committee had received the sanction of Her Majesty's Government. It was under that impression that in the month of November I addressed the following to the noble Lord the Secretary of State for the Colonies:—

> "The Pré, St. Albans, Nov. 28, 1849.
>
> "My Lord—In obedience to a resolution of the Committee which sat during the last Session of Parliament to inquire into the grievances of Ceylon and British Guiana, in which I was required to apply to your Lordship to procure the attendance of witnesses from Ceylon, for the further prosecution of the inquiry in the next Session, I beg now to state that it will be necessary, in addition to the testimony of the Queen's Advocate and Captain Watson, named by the Committee, to obtain the evidence of Lieutenant-Colonel Braybrooke, and Lieutenant Henderson, of the Ceylon Rifles; of E. S. Waring, Esq., police magistrate, and Mr. John Selby, advocate; and I have therefore to request that your Lordship will have the goodness to order these gentlemen to repair to England without delay, so that they may be able to attend as soon as possible after the meeting of Parliament. — I have the honour, &c.
>
> "HENRY BAILLIE."

In answer to that letter, I received the following communication from the Colonial Office:—

> "Colonial Office, Downing-street,
> Dec. 3, 1849.
>
> "Sir—I am directed by Earl Grey to acknowledge the receipt of your letter of the 28th ult., requesting his Lordship to procure the attendance of the gentlemen you name, as witnesses from Ceylon, in addition to those already required by a resolution of the Committee of Parliament which in the last Session was appointed to inquire into the grievances of Ceylon and British Guiana; and I am to acquaint you that, in pursuance of that resolution, the two gentlemen therein named were directed to repair to England to give evidence, and that his Lordship, with the concurrence of the Lords Commissioners of the Treasury, informed the Governor of Ceylon that the expense which will be thus occasioned will be defrayed from the funds granted by Parliament to meet the charges of Parliamentary inquiries. But I am to add, that as Lord Grey is not aware that a Parliamentary Committee possesses the power of delegating to its Chairman the power of determining what witnesses are to be called for, his Lordship does not feel himself at liberty, without the express authority of the Committee, to incur the heavy expense which would be occasioned by directing the attendance of additional witnesses whose names you have given.—I have the honour to be, &c.
>
> (Signed) "HERMAN MERIVALE."

After reading that letter, I concluded that the noble Lord at the head of the Colonial Department had not been thoroughly or completely informed as to what had taken place in this House. It did not appear that he was aware of the assurance which had been given that these witnesses should be sent for; and I thought it my duty to address the following letter to the noble Lord the First Minister of the Crown:—

"The Pré, St. Albans, Dec. 9, 1849.

"My Lord—In the debate which took place upon the report of the Ceylon Committee during the last Session of Parliament, your Lordship, in objecting to the proposal of sending a Commission of Inquiry to Ceylon, stated that the Government would be willing to procure the attendance of any witnesses who might be necessary for the further prosecution of the inquiry. In consequence of that understanding, the Committee passed a unanimous resolution, 'That the chairman be authorised and requested to communicate with Her Majesty's Secretary of State, as to the necessary witnesses to be ordered home to give evidence before the Committee to be appointed in the ensuing Session.' In obedience to that resolution, I addressed a letter on the 28th ult. to the Secretary of State for the Colonies, requesting that Colonel Braybrooke, Lieutenant Henderson, Mr. Waring, and Mr. John Selby, might be ordered to repair to England without delay, so that they might be able to attend the Committee as soon as possible after the meeting of Parliament. In answer to that application, I have received a letter from the Under Secretary for the Colonies, in which I am informed that 'Lord Grey is not aware that a Parliamentary Committee has the power of delegating to its chairman the power of determining what witnesses are to be called for; and his Lordship does not feel himself at liberty, without the express authority of the Committee, to incur the heavy expense which would be occasioned by directing the attendance of the additional witnesses whose names you have given.' I need not point out to your Lordship the very great inconvenience which this delay in sending for the witnesses must of necessity occasion in protracting this painful inquiry. It is not for me to pronounce an opinion upon the course which the Secretary of State for the Colonies may think proper to pursue; but if, as I am informed, Sir E. Tennent and Colonel Drought have been ordered home to give evidence before the Committee, I do not understand upon what ground a different course should be adopted with regard to the witnesses whom, at the desire of the Committee, I have named, and whose attendance cannot be dispensed with. I have no motive in thus addressing your Lordship, but an anxious desire faithfully to discharge the important duty that was entrusted to me; and I deem it to be a part of that duty to remind your Lordship of the understanding that every facility should be afforded by the Government for procuring the testimony of the necessary witnesses from Ceylon.—I have the honour, &c.

"Henry Baillie."

To that letter I received the following reply from the noble Lord:—

"Pembroke Lodge, Dec. 11, 1849.

"Sir—When I assented to the proposal that the Committee should name the persons whom it was necessary to summon from Ceylon, and that the Secretary of State should give the necessary orders for their attendance in this country, it was not intimated that the chairman should be entrusted with the sole authority of naming the witnesses on behalf of the Committee. Lord Grey has therefore properly declined to comply with this delegated authority, which, after all, perhaps, was not meant by the Committee to extend beyond a power of communicating with the Secretary of State, and did not imply a power of giving orders to the Secretary of State, which might occasion great expense and inconvenience.—I have the honour to be, &c. "J. Russell."

Now, if I had not expected that every facility for obtaining evidence would be given, I, as well as the hon. Member for Montrose, would have refused to proceed further in this inquiry; but the House must now see that the result of the proceeding of the Government is to protract the inquiry in all probability beyond the present Session of Parliament; as it follows as a matter of course, that if the witnesses are not sent for, we shall not be able to proceed any further with the inquiry. And now, Sir, with regard to the future proceedings of this Committee, I think it right the House should understand that had these witnesses been granted, I should not have addressed a word on this occasion. But as these witnesses have been refused, I do not hesitate to declare my belief—a belief in which I feel not the slightest doubt the hon. Member for Montrose will bear me out—that if this inquiry is fairly and properly carried out, if the witnesses we require are brought to this country, acts of atrocity will be brought to light, compared with which the devices of Field-Marshal Haynau in Hungary, of which we have heard so much from the hon. Member for the West Riding of Yorkshire, will appear mild and merciful; for in Austria and Hungary no prisoner has been put to death who has not been tried by a tribunal properly constituted according to law, and in which there have been officers of rank presiding, and no sentence on a Hungarian has been carried into effect without the approbation of the commander-in-chief. But what has been the case in Ceylon? In Ceylon very few of the persons put to death were tried before tribunals legally and properly constituted, or comprising the necessary number of officers required by law. In some cases courts-martial in Ceylon had been composed of three officers—a captain and two subalterns—the officers being ignorant of the native language, and yet passing sentence on the accused. In some instances the prisoners were led from the court to the place of execution, where they suffered instant death. [An Hon. MEMBER: Have you confirmation of that?] Those are the facts which have reached me. But compare the two cases—above all, compare the provocation in them. In the case of Hungary, a most bloody and formidable insurrection had been brought to a close, and thousands and tens of thousands of the Austrians had perished. In the case of Ceylon there had been an unimportant riot, without life or spirit, or any attempt at resistance. Compare the two cases, and then tell me whether I exaggerate when I say that, compared with the proceedings of Ceylon, those of Austria have been mild and merciful. And it is for this House, so long accustomed to hear denunciations against the Austrian Government, to determine whether it is not itself, in its legislative capacity, liable to a charge for having so long tolerated such acts of atrocity to be perpetrated in the dominions of Her Majesty.' We have heard much from the hon. Member for the West Riding of Yorkshire about the savage proclamations of Field-Marshal Haynau and others. But listen to the proclamation I am about to read—a proclamation of one of Her Majesty's officers in Ceylon, entrusted at the time with the full and responsible power of deciding the question of life and death with respect to the subjects of that colony. The proclamation is as follows:—

> "That unless all those who have held concealed the effects of Golahella Rata Mahatmeya, deliver over to me such property, or give information about the same without delay, such persons shall be killed, and their property confiscated.
>
> "A. WATSON, Captain commanding."

Now, I ask the House, is this a proclamation for the destruction of mad dogs or of human beings? I confess, Sir, when this proclamation was first brought under my notice I was perfectly astounded. I could not believe such a production possible, and thought there must be some mistake. But there is no mistake about the matter. I have in my possession two of the original proclamations signed by Captain Watson's own hand—proclamations which have received the full sanction and cordial approbation of Her Majesty's Government; and those Gentlemen who are so ready to denounce Austria for her acts, are the supporters of that Government. Sir, I do not wish to trespass at too great a length upon the attention of the House. I might enter into descriptions of burnings of villages and confiscations of property, and so forth; but I will pass them over. There is, however, a little episode which I think I must give to the House. The officer who carried martial law into effect in Ceylon, was Lieutenant Colonel Drought. The commander-in-chief, General Smelt, neve having gone into the disturbed districts, thinking, I suppose, that the matter was of too trifling importance to require his personal attendance, although I know not why his presence was not necessary, Lieutenant Colonel Drought was left with two or three superior officers at Kandy; and I will now show in what a reckless manner human life has been sacrificed in the proceedings which took place. Lieutenant Colonel Drought received information, at Kandy, that the Pretender had been taken prisoner; and he immediately despatched an officer (Captain Bird) with instructions to try the prisoner by court-martial, and to have him executed without delay. A court-martial was accordingly held at Kornegalle. Captain Bird sat upon the court-martial, as a junior officer, a superior being present. The man was convicted, and Captain Bird, a junior officer, confirmed the sentence; and to show the sense the court-martial entertained of the heinous offence of appearing as a Pretender, the man, whose name was Dingeralle, was shot within half an hour, and his body, according to the sentence, was hung up upon a tree for four days. But mark the consequence of this haste. In page 184 of the blue book it will be seen that on the 5th August, Colonel Drought writes to Lord Torrington that the Pretender Dingeralle was tried yesterday, convicted, shot, and hung from a tree. On the 14th August, the Governor writes to Lord Grey, nine days after the execution, that it was a mistake in supposing that that man was the Pretender; for he says—

> "On the 4th instant, a man who assumed the title of King, and who turns out to be the elder brother of the pretended King, who was crowned at Dambool, and who is still at large, was captured, and on the following day tried by court-martial, and shot."

At page 206 of the blue book, it will be seen that on the 16th August, only two days afterwards, the Governor writes to Lord Grey that it had then been found that it was a mistake in supposing not only that the unfortunate man was the Pretender, but again, that it was a mistake in supposing that he was even the Pretender's brother, for he says—

> "Nevertheless, the pretended King is not yet apprehended, and his brother who was at first believed to have been executed at Kornegalle, is also still at large, and the prisoner who was shot on that occasion was only one of the principal adherents of the impostor."

Lord Torrington writes to Lord Grey that the pretended King was captured on the 21st September, but that he was neither hanged nor shot, but transported. So that when he finds that the unfortunate man was neither the Pretender nor the Pretender's brother, he jumps to the conclusion that he was at all events an adherent of the Pretender, and does not think it is of any importance that that was not the charge under which he was convicted and executed. We have here an instance, then, of an unfortunate man executed by mistake; but that was not the only mistake, for I find by the blue book that four men were executed on a charge of what they call high treason. One of them is called Nickale Rincheralle; but we have evidence to show that this person is perfectly well at this moment in Ceylon, and it was perfectly obvious that some other individual has been executed; and in our inquiries we have found who it was who was executed instead. As I stated before, it is not my wish to enter at large into the question on this occasion; but I have thought it my duty to point out to the House the nature of the inquiry, as the House will then be able to perceive the impossibility of the hon. Member for Montrose and myself undertaking this case if we are not to have the witnesses who have been asked for. It will be for the House to decide whether this inquiry shall be prosecuted fairly and properly, or whether it shall be at once abandoned. For my own part, it is a matter of indifference. I have performed my duty to the best of my ability, and I shall be satisfied with whatever course the House may think proper to adopt. All I ask is this: if we are to have an inquiry, at least let it be a fair one. Let us not compromise the dignity and character of this House by a sham inquiry, and by taking *ex parte* evidence. The House will now decide, however, whether it will support the hon. Member for Montrose and myself in our efforts to carry out this investigation fairly, or whether it will support the Ministers of the Crown in their bold and unblushing attempt to baffle and defeat us.

Mr. HAWES: Sir, the hon. Gentleman having given me a private notice, for which I thank him, of his intention to make some observations upon matters connected with the Ceylon Committee at the period when I should move the reappointment of this Committee, commenced his speech by a reference to the affairs of Guiana—affairs which of course I did not expect would now come under discussion. The hon. Gentleman has stated, that in that case there was some breach of privilege committed, inasmuch as the Governor of the colony had commented upon a speech of his delivered in this House. That was his statement. [Mr. Baillie: It is published in the blue book.] The breach of privilege which the hon. Gentleman means, lies, I apprehend, in the comments on his speech. Now, if any breach of the privileges of this House should be committed, I trust I should be one of the first to regret it; but the fact is, that when the hon. Member moved for the Committee on Guiana, he made unqualified charges against the Governor; and the Governor, seeing those charges in the newspapers, took an opportunity of answering and repelling them — a course which the hon. Member would wish to prevent him from taking. The hon. Gentleman has been pleased to say, that the Committee on British Guiana made certain recommendations with respect to the colony, no one of which has been complied with. [Mr. Baillie: I asked whether those recommendations had been carried out.] I understood, from the form of the hon. Gentleman's questions, that he presumed none of the recommendations had been complied with. I cannot, however, allow the hon. Member to escape from the impression his speech was calculated to make, or permit him to imply, that none of these recommendations have been adopted. First of all, the Committee recommended some reform in the constitution of the colony, and an extension of the franchise—a reform to be carried out with caution. That has been done. But the hon. Gentleman says, that the measure was forced through the Court of Policy by the sheer power of the Government, and that in consequence certain of the elected members of the Court retired. It is quite true, that when the Governor moved the Franchise Bill, certain of the members of the Court of Policy retired, but the Bill was ultimately carried with singular unanimity. With regard to improper appointments, the Secretary of State transmitted the report of the Committee to the Governor, and it was for him to institute an inquiry.

But many of the appointments impugned in the Committee's report were confirmed by the Governor, and he has given good reasons, in my opinion, for their confirmation. With respect to the salary of the Governor, the Committee did not recommend that it should be reduced. I will refer to the words of the Committee. They say—

> "Your Committee is of opinion that it is a fit subject for inquiry, not merely whether the special grounds on which the increase in question was recommended still exist, but whether, all circumstances considered, a salary of less than 5,000*l.* per annum would not be insufficient to induce persons, duly qualified for such appointments, to undertake the duties of the office, and enable them to meet all the legitimate expenses to which a Governor is liable."

That is not a recommendation that the salary should be reduced. But what course did the Governor take upon it? He stated to the Court of Policy that, with regard to his own personal interests, they should not stand in the way of any course which the Court of Policy might think proper to adopt. Well, the Court of Policy did not think it right to propose any reduction in the salary of the Governor. New elections had taken place in Guiana under a more extended constituency; and they have not even raised the question of the Governor's salary again for consideration, nor has one syllable passed on the subject. I think, therefore, under these circumstances, that the hon. Gentleman is not entitled to say either that the Committee recommended any specific reduction, or that nothing has been done in the colony in consequence of the report. But what is it that has been done in the colony? What I always said would be done. The Committee, having examined the state of the expenditure, five-sixths of which is always under their control, have reduced it between 70,000*l.* and 80,000*l.* a year. The whole sum over which the colony has no control was not only guaranteed by local Acts, but sanctioned by the Crown; and when the inquiry into the whole expenditure recommended by the Secretary of State began, then, indeed, the true source of expenditure was discovered, and between 70,000*l.* and 80,000*l.* in the course of that inquiry was reduced. My opinion is, that these reductions are, in many cases, too great; and the new Court of Policy, elected by a larger constituency, have rather increased, to some extent, than reduced the salaries; so that the saving is not altogether quite equal to what it was in the first instance. The recommendation of the Committee as regards the extension of the franchise, has been adopted—the Bill passed almost unanimously through the legislative body of the colony. But now, Sir, I shall proceed to the affairs of Ceylon. And here I must protest against the course pursued by the hon. Gentleman, marked, as I am bound to say it is, by his usual injustice and want of candour. In the midst of an inquiry, with a Committee about to be reappointed, he brings forward wholesale charges against the local government, and he talks at the same time about the abandonment of the inquiry. Sir, I have no doubt that the hon. Gentleman wishes to abandon it; for a more hollow inquiry was never brought forward, nor one founded on a meaner conspiracy on the part of parties in Ceylon. But, so far as the Government is concerned, I say that the inquiry shall go on; but it shall be a fair inquiry; and what will be the surprise of the House to hear, after the statement of the hon. Gentleman, that there has been no refusal of witnesses. And now I will state to the House exactly what did occur. Sir, on Saturday, the 28th of July, 1849, a Motion was made in this House that the inquiry before the Select Committee should not continue, but that a Commission should be appointed to inquire on the spot, a resolution to that effect having been carried in the Committee by the casting vote of the Chairman, and by his casting vote alone. The House divided upon it, and deliberately rejected the recommendation of the Committee, and this is the insult to which the hon. Gentleman alludes. Now, Sir, was the rejection carried by Government votes on that occasion? Was there a majority of Members of the Government negativing that Motion? So far from it I find on looking over the division list that there were of Members unconnected with the Government voting for the Motion 33, and against it 64, so that the independent Members of the House actually voted almost two to one against the resolution of the hon. Gentleman. But what passed in the House on that occasion was most important. It was stated—and I now speak in the presence of the right hon. Baronet the Member for Ripon, who took part in the debate, and also of the noble Lord the First Lord of the Treasury, both of whom will be able to confirm what I now say—it was proposed to the House by the right hon. Gentleman the Member for Ripon, that the Committee should meet on the following Monday and name the witnesses it wished to have called for examination. My noble Friend, subsequently in the course of the debate said, taking precisely the same view as the right hon. Member for Ripon, that the Committee should meet and name the witnesses, and that those witnesses, so named, the Secretary of State ought to take the proper means to produce. Well, the Committee did meet, it did nominate the witnesses, and these witnesses are at this moment in this country, ready for their examination. But, Sir, all this has been suppressed by the hon. Gentleman. There was a Motion made subsequently in the Committee, and I am sorry it was allowed to pass unanimously; I did not anticipate such a use would be made of it; but a Motion was certainly carried afterwards, which I will read to the House, and then I will also read from the report of the Committee. The resolution was, that the Chairman should be authorised and was requested to communicate with the Secretary of State as to the necessary witnesses to be ordered home to give evidence before the Committee, to be appointed in the ensuing Session. That was the resolution of the Committee; and now, what says the report?—

> "That means should be adopted in the interval by the Secretary of State, to ensure the attendance before the Committee of the Queen's Advocate of Ceylon, Captain Watson, and such other witnesses whose evidence was necessary to explain and establish the circumstances under which martial law was recently proclaimed in Ceylon."

Was there anything in that report or in the resolution I have read, that gave the Chairman of the Committee absolute power, independently of the Secretary of State, and independently of the Committee itself, of nominating any witnesses that he pleased to call? That is the first question I raise—Was there anything to give him that power? I think there was not. Well, Sir, what took place? And now I come to the point that there has been no refusal of witnesses. I showed you that witnesses were ordered by the Committee, that the witnesses so ordered are here, and ready to be examined. But on the 28th of November, three months after the Committee broke up, without any communication with the Secretary of State, or calling on him to exercise any discretion whatever, the hon. Gentleman calls on the Secretary of State, on his individual nomination, to order certain other witnesses home. I say he had no power to do that, nor did the Committee, by any resolution or report, delegate to him any such power. Now what course did the Secretary of State take? Did he refuse these witnesses? The view Lord Grey took was this. He said—

> "The witnesses ordered by the Committee shall be in attendance; the other witnesses, inasmuch as I do not admit that you have the sole power of nominating them, I must leave for the Committee to decide upon when they meet. In the meantime there are witnesses who have been ordered home by the Committee, and the examination can be proceeded with. There are other important witnesses in this country who will fully occupy the interval."

And, Sir, it was a serious question—these witnesses would cost from 400*l.* to 700*l.* each to the country; and the Secretary of State had to say whether he was justified in incurring such an expense at the individual request of the Chairman, without the authority of the Committee. I think it was a fair question for the Secretary of State to consider whether he ought not to hesitate before he called these witnesses at the simple request of the hon. Gentleman. But now, Sir, the hon. Gentleman talks about abandoning this inquiry because these witnesses are not here. Let me suppose for a moment that Lord Grey had actually acceded to his request—does not the hon. Gentleman lead the House to believe that in that supposition the witnesses would have been here by this time, and that the inquiry cannot be proceeded with because they are not present? Is that not the impression created in the House by his statement? Why, Sir, the letter of the hon. Gentleman, written at the end of November, could not have gone out to the colony till the succeeding December mail, and could not have arrived in Ceylon till the end of January; and the witnesses could not have arrived in England until six weeks afterwards, or till after the middle of March. In the meantime the hon. Gentleman has the two witnesses that the Committee nominated, and there are other witnesses competent to be examined also on the spot. If, therefore, when the Committee meets, it should decide, after hearing what may be said with regard to other special witnesses, to call this further evidence, that further evidence will be called; and, therefore, really and truly, the hon.

Gentleman has utterly mistaken the course taken by Lord Grey. Witnesses are not refused—witnesses are here, brought to this country as the Committee had required. Other witnesses are here—there is an abundance of them here ready to go on with. The Committee have already an abundance of materials to occupy them for some time to come, and until any further witnesses they required could be duly summoned home. Now, Sir, I think it right, as I began, to say I protest against the course pursued by the hon. Gentleman. In the midst of this inquiry, with witnesses in England ready to be examined, he chooses to bring these fresh charges in this House, in order, if he can, to prejudice the course of the inquiry; and he singles out one individual, Captain Watson, who uttered what he was pleased to describe as a savage proclamation, that gallant officer being one of the witnesses who is here at this moment waiting to be examined; and he thinks it consistent with the ends of justice, whilst he is here actually in obedience to the summons of the Committee, to make this gratuitous attack on that gallant officer. Why, Sir, is that a course to be justified? If the hon. Gentleman is not afraid to go on with this inquiry, why does he seek to prejudice this gentleman in the eyes of the public? I can again assure the House that this investigation, as far as Her Majesty's Government is concerned, shall go on and be prosecuted to its legitimate conclusion. There is abundant evidence ready now to continue the inquiry, and there is no ground whatever for abandoning it at this moment; on the contrary, there is every ground for continuing it. But the hon. Gentleman seemed to imply that Lord Grey has written for, and brought over, some witnesses of his own, and that Lord Torrington, I suppose, has sent over witnesses. Lord Grey has written for none but those sought for by the Committee, and Lord Torrington has sent over none. Sir Emerson Tennent, the secretary of the colony, is now in this country. He is now on leave of absence, and being an important officer of the local Government, he is ready to give evidence; but Lord Grey never thought it right or proper to promise or guarantee witnesses their expenses, or summon any here. Therefore, none have been summoned by Lord Grey, or sent by Lord Torrington, but those the Committee has ordered. Then I ask, under the circumstances, what right has the hon. Gentleman to say it? and still more I ask, what justification has he for making the attack he has done on one of the witnesses about to be examined? What right has he to single out this witness—his own witness, a gallant officer, called by himself? Why, Captain Watson is a gentleman actually named in the report of the Committee. [Mr. BAILLIE said, Captain Watson was not one of his witnesses.] The hon. Gentleman says he does not know this, and that he did not propose him. Then I suppose it was the hon. Member for Montrose who nominated Captain Watson as a witness. But the truth is, the hon. Gentleman does not know much about the matter. Being much engaged, he has left himself entirely in the hands of others; and, but for that circumstance, he would not have made the statement he has done to the House. No doubt he is actuated by a sense of duty—I give him credit to that extent; but he has been most grossly misled. But again, I say, it is unusual for a Member of Parliament and an English gentleman to endeavour to prejudice a witness who is about to be examined, and who was summoned by a body among whom the hon. Gentleman at least was most prominent. Therefore, let the House understand this—that the witnesses summoned by the Committee are here—that four or five other very important witnesses connected with the colony are also here on the spot, who know all the circumstances, and who are perfectly ready to go into the minutest details of the inquiry—that they are here, and waiting to be examined. I presume the House will not refuse to go on with this inquiry—I presume the House, after the speech of the hon. Gentleman, casting such imputations as he does on the government of that colony, will hardly refuse the Governor of the colony the opportunity of defending himself—either by authentic documents or by witnesses speaking from their own personal knowledge—from the gross charges brought against him. Sir, if the Committee when it meets shall assign good grounds for calling fresh witnesses, I know of no objection there can be to such a course; but, looking at the names which the hon. Gentleman wishes to be called, I think there may be some doubt whether all these parties ought to be summoned. However, I shall reserve my remarks on this point for the Committee, and shall not be guilty of making a personal attack on individuals in this open House without due consideration. With regard to one out of the hon. Gentleman's four names, there are reasons which I believe the Committee will see the force of, and hesitate before it calls that party. Under the whole of the circumstances I have mentioned, I sit down by assuring the House that it shall not be the fault of any one connected with the Government if this inquiry is not prosecuted to its utmost legitimate extent.

Mr. HUME would assure the hon. Member who had just sat down, that as long as he had the honour of a seat in that House, he would do his utmost to cause these atrocious proceedings in Ceylon to be sifted to the bottom. He need not be under any alarm that the inquiry would be abandoned; and he could promise the hon. Gentleman he should have full satisfaction before the Committee had done with the subject. The hon. Under Secretary of State had thought fit to interpret the speech of his (Mr. Hume's) hon. Friend the Member for Inverness-shire to mean that he wished to give up the case—he had no such intention. He would show the fairness of that which his hon. Friend meant to do. His hon. Friend had likened the proceedings in Ceylon to the proceedings in Hungary. The proceedings in Hungary were mild in comparison. He would prove it. If he ever uttered a speech in that House, he was ready to prove it, and he had done so. He might have made some he could not prove. He was not infallible. He did not wish to mix up the case of Ceylon with that of Guiana; but he would just observe that at the proper opportunity he would be able to prove that the hon. Gentleman the Under Secretary for the Colonies was entirely in error in what he said respecting Guiana. But with regard to Ceylon, that hon. Gentleman took upon him, with an unblushing effrontery such as he (Mr. Hume) never before witnessed, to say that this inquiry arose from "a mean conspiracy on the part of certain individuals in Ceylon." Did he intend to say that "a mean conspiracy" had brought 5,000 petitioners in one case, and 39,000 in another, to ask for redress from that House? The truth of the allegation of those petitions he believed; and he asked hon. Gentlemen who might not be altogether so well-informed on the subject, to wait and see the proof, and then if there was one man in that House who would deliberately rise and say that that was not a fit and proper subject of inquiry, he should be utterly confounded. He should not therefore enter into details, but he should state the course which Government had taken, and which had placed them in the situation they were now in. He must confess, in the Committee upstairs, after the House had rejected the recommendation of the Committee to appoint a Commission to proceed to the spot, he objected to proceeding with the inquiry here; and why? The petitions that he presented from the inhabitants of Ceylon contained allegations of grievances so great and so multiform, that he conceived the truth could not be ascertained by the Committee here, and could be ascertained only by a Commission on the spot. Here were grave and serious charges, forcing the production of private letters, but still detailing acts of atrocity which the Committee were alarmed at, and considered of the most aggravated nature. They were unable to follow out the evidence to the conclusion by the separation of the House, and they proposed this Commission not to allow it to hang over till another Session, but in order to have the matter properly inquired into and to have justice done. He had no feeling whatever with respect to any man in Ceylon, but he had a great desire to see justice done to the oppressed. He saw thousands, and tens of thousands, under the rod of the oppressor, and with no means by which justice could be obtained. He therefore recommended a Commission, and the Committee agreed to it. It would be recollected what passed when they came to the House. The hon. Gentleman had made allusion to the debate of the 28th of July. He would bear in mind his objection and his opposition. He stated then it was the wish of the inhabitants to have justice done, and that he distrusted the Government. The distrust he then felt had been realised. He had not the least confidence in the Secretary of State, who, he believed, did everything he could to cloak and cover the atrocities that had been committed there. But when he saw a Government agree to a Committee, and that Committee proceed to inquire into the transaction, the whole of the Government officers being allowed to remain on the spot and at a distance, he saw immediately that the accused would be in a position to use all the power that they had to refuse justice. It was on that ground that when he went back to the Committee he told the Committee he had no confidence in the Secretary of State, and that he did not wish to go on with it. He consequently stood perfectly free of any charge of having called witnesses. His hon. Friend, in the most unwarrantable manner, said Captain Watson and Mr. Selby were their witnesses. He (Mr. Hume) objected to any witness being brought at all. How could the hon. Gentleman father upon him the nomination of any witnesses, when he objected, and persevered to the last moment in objecting to them? He admitted that a difference of opinion existed in the Committee; but the majority of the Committee rested on the assurance of the noble Lord, that every facility would be given to bring home all such witnesses as could elicit the truth to be examined by the Committee. He would state what took place in the Committee. He could have named, and did name, a dozen witnesses. He had been entrusted solely with the petition, and not knowing the witnesses that would prove the allegations in the petition, how could he take upon himself to recommend so many witnesses being brought over, without communicating with the petitioners, and asking them who they had to make good their evidence? The matter was discussed, and the Members of the Committee would bear in mind this fact, that Captain Watson and Mr. J. Selby were named, not by his hon. Friend the Member for Inverness-shire, or by him; but because Captain Watson, in a letter before the Committee, was accused of having burned villages and directed the confiscation of property; that he had taken possession of that confiscated property, and in some instances had rendered no account of it; and the Committee said, "We must have this gentleman, at any rate, to explain this conduct." Mr. Selby, again, was supposed to have gone to the chief justice to try to save the life of a priest who was now proved to have been perfectly innocent. Mr. Selby also went to Lord Torrington, and told him that, from all the information he could obtain, the priest was altogether innocent; that the evidence had been given by a father and son, both of whom were candidates for office under Government, and that their statements were not to be credited. When Mr. Selby went to Lord Torrington, his Lordship was reported to have said, "I do not care if all the proctors are of opinion that this man is innocent, I should not believe it, but he shall be hanged." Mr. Selby was to be brought to prove that Mr. Selby was not implicated, but Captain Watson had committed a great portion of the atrocity. Was he the man to tell them of that? And who else had they? They had Sir Emerson Tennent, he was told. He should prove before the Committee that most extraordinary efforts had been made to collect evidence to enable Sir Emerson Tennent to contradict the evidence which had been given. They had had copies of the evidence, they had gone through the whole of it, and had now deputed, as he understood, under the hand of an individual in whom he (Mr. Hume) placed the highest confidence, they had now deputed Sir Emerson Tennent to come home, to bolster up the government of Lord Torrington. Who was Sir Emerson Tennent? He was the Secretary of the Colonial Government. He was the last man to be examined. He therefore said, they had no evidence whatever in support of these petitions. He therefore considered it was idle to tell the Committee it was a furtherance of justice to go on, and that there was a chance of fair play when they had refused to send for these four individuals that were named, for it was said that the evidence of these four men would be sufficient to establish all the facts. He was utterly at a loss to understand how his hon. Friend could justify what he had now stated, that the Committee had not the power to delegate to the chairman the selection of witnesses. He appealed to those who were present that this was what took place. The Committee were not able to state exactly the number of witnesses they wanted; there were a number of individuals whom he (Mr. Hume) might desire to bring forward; but he would waive his desire to include certain parties then, if the Committee would give authority to the chairman to summon these witnesses at a future period. And in the resolution which his hon. Friend had read, he would find that Captain Watson, Mr. Selby, and such other witnesses were included, as might be indicated by the chairman of the Committee, and which he did intimate by the end of November, or the beginning of December. He could not reconcile the conduct of Government with that sense of justice which ought to be entertained by a man in the situation of the noble Lord at the head of Her Majesty's Government—a man who, he had always believed, was desirous to see justice done to every man—a man whose word they ought to have taken, and on whose assurance he, for one, could in some degree depend. But he had no dependence whatever on the Secretary of State for the Colonial Department. ["Oh, oh!"] He had not; he never had. He liked to be candid. Since the acts of that noble Lord in regard to the colony of British Guiana and other places—acts which had come to his knowledge—had been committed, he would not believe his word or his writing. And now he came to an independent witness. He appealed to the right hon. Baronet the Member for Ripon, because he believed that but for his interference the House might have hesitated to reject the recommendation of the Committee. He would ask him whether his understanding of the assurance of the noble Lord the Secretary of State for the Colonies, whether the second speech he made on that occasion, was not entirely owing to the assurance given by the noble Lord that every facility should be given to the calling of witnesses? The Committee met, but as Parliament was about to be prorogued the next day, they could not determine on the witnesses, and the next best thing they could do was to delegate to the chairman the power of summoning witnesses. He asked the right hon. Baronet if that was not carrying out legitimately the assurance of the noble Lord? If when they met they had no witnesses to examine but the parties to the crime, that would be foreign to his ideas of justice, and what the hon. Gentleman said was perfectly correct; they must postpone it till they got other witnesses. And let him say that these witnesses the hon. Member referred to were public servants. He did not know them, but it was stated that they were honourable men. He said it was an attempt to stop the course of public justice; it was an attempt to prevent an inquiry into an affair in which the lives of Her Majesty's subjects had been sacrificed. Twenty-two men had been shot, twenty-eight banished, and sixty-six imprisoned, all owing to the recklessness of the Governor of Ceylon. It was fit and proper that they should inquire. They could not recall the dead, but they might do some justice to those who were now pining in exile. They might do some good by teaching other governors that such proceedings would not be lightly passed over. It was on that ground that he had taken the trouble that he had done, and it had cost a great deal of time and trouble to go through so important a question. It was on that ground that he had interfered, and he had no hesitation in saying that a more paltry attempt to lay aside what was the understanding in that House, that the recommendation of witnesses should be confined to the number named by the Committee, he never knew. What more could the Committee have done till the chairman had obtained the best information he could of the witnesses that had been summoned. The chairman communicated with Ceylon, and he communicated the names to Government, and he must, in justice to his hon. Friend, say that no man could be more astonished at the result. Here was a question of immense and vital importance to the welfare of our colonies, and the character of the country, and they heard a Minister, a Member of a Government that squandered millions upon millions, which voted 15,000*l.* or 20,000*l.* to Labuan, tell them that he could not take upon himself to run the risk of 2,800*l.*, supposing the utmost was expended—700*l.* for each witness. It was the case of the colonists. They were suffering great privations, and were under great difficulties. Orders had been given to the justices of the peace in different parts of Ceylon to take no affidavits against the Government, but to take affidavits in favour of it. Every obstacle had been thrown in the way of inquiry, and he would prove that one of the witnesses named, an honourable and distinguished gentleman in the colony, was threatened that if he ventured to go to England, or to give any information on the subject, charges would be brought against him. They had been told to bring their charges; well, they did bring them, and then their witnesses had been intimidated, and one or two of them had been hushed into silence by the receipt of Government situations in reward for their perfidy. Looking to the facts that had occurred, and the mode in which the proceedings had been carried on by the Government, he thought his hon. Friend was quite right in the course which he had adopted; but he thought the subject was of too vital an interest to the character of the House and to the colonies, and that it ought not to pass over in a mere debate. He was not prepared to interfere in the course which his hon. Friend had taken, and would agree to the reappointment of the Committee. He had been at considerable pains to collect the information which he had in his possession, and he deeply regretted the course which Her Majesty's Government had adopted, in preventing those witnesses from coming forward, and an inquiry being made into the administration and conduct of a colonial governor. Whatever course Her Majesty's Government took, he (Mr.

Hume) felt satisfied that something must very speedily be done.

Mr. DISRAELI: Sir, the question we have to consider to-day is, I think, of a very simple character, and should be confined entirely to a consideration by the House of the understanding that was arrived at between the Committee and the Government. I will make no reference to proceedings at Ceylon, of which we may, or of which we may not, have testimony; but I will endeavour to place before the House the question upon which I think we are called upon to give a decision and express an opinion. The House will recollect that on nearly the last day of last Session, when the Committee reported the expression of their opinion that a commission should be sent to Ceylon to report on certain circumstances, I mentioned that I had proposed a compromise in the Committee to the Under Secretary of State; and I recollect afterwards that the right hon. Baronet the Member for Ripon, approving of that compromise, regretted very much that the Under Secretary of State had not accepted of it. Nevertheless, the right hon. Gentleman did not, on the whole, think it best that the resolution of the Committee should be sanctioned by the House; but he expressed a very qualified disapprobation of the course we had recommended. What happened in the Committee appears to me to be quite decisive as to the intentions both of the Government and of the Committee; and no doubt fòr a moment of the meaning of the Committee and Government could be entertained, if the Under Secretary, in placing the circumstances before the House, had not so transposed the documents on which the merits of the question depend, that he conveyed to the House an impression exactly the contrary to what occurred. The hon. Gentleman said he had read the documents, but he happened to read first the document that occurred last. This is not a matter of argument but of demonstration: there can be no difference of opinion respecting it between me and the Under Secretary, nor in the House. The hon. Gentleman read this resolution as one that had been carried in the Committee; namely, "Motion made and question put, that the Chairman be authorised and desired to enter into a communication with the Secretary of State, as to the necessary witnesses to be examined in the ensuing Session." The Motion was made apparently by the hon. Member for Montrose; and after that the Under Secretary of State referred to that resolution as the basis of the report which he read afterwards. The report was drawn up to this effect — I am answerable for the paragraph, as I moved it—"that the Committee regret the termination of the Session, and that they are unable to conclude their inquiry into the administration and government of Ceylon, the late insurrection there, and the means adopted by the local Government for its repression; but from the gravity of the circumstances elicited in the inquiry, they think it expedient that the Committee should be reappointed next Session to pursue their inquiry, and that measures should be taken to ensure the attendance of the Queen's Advocate at Ceylon, and Captain Watson, and such other evidence as is necessary to explain the circumstances under which martial law was proclaimed in Ceylon." This report was drawn up, proposed, and carried, and the whole was concluded before the resolution which the Under Secretary of State referred to as the basis of the report, was adopted. When we drew up the report, we put in the names of the Queen's Advocate and Captain Watson, and left a space for other names. It was impossible to know, from the hurried manner in which the Committee met, what other names were necessary, and those general words, "such other witnesses," were inserted. It is an important fact, that, when a Member of the Committee, Lord Hotham, proposed the name of Colonel Frazer should be introduced, we said, as we have agreed not to insert the names of the witnesses, upon an understanding with the Colonial Office, it is inexpedient to put in the name of Colonel Frazer, and therefore we negatived the proposition of Lord Hotham that the name of Colonel Frazer should be inserted. Then it was agreed that the Chairman should communicate with Her Majesty's Government as to the necessary witnesses to be ordered home to give evidence before the Committee in the ensuing Session. In my opinion the case is a complete one. I do not think it would be creditable to the House if, under these circumstances, it deserted its Committee. I feel confident that if the right hon. Baronet the Member for Ripon, who acted on the last occasion as *amicus curiæ* in this case, comes forward and gives us his frank opinion, he must be under the impression that the conduct of the Government has been of a tendency that would at least evade a further inquiry. I am not one of those who would avoid an inquiry, and I think the tone of the Under Secretary unauthorised. A grave charge was made against the Government last year, and what was their defence? Not a modest defence, certainly; but they assumed that tone of indignation which the hon. Gentleman has on more that one occasion exhibited. They had heard it that day, and they had been greeted with it on the first night the Ceylon business was introduced. But whatever was the opinion of the Committee, or the final decision of the House, we must admit that the investigation into those affairs was a necessary and most important one; and when the hon. Gentleman attacks the hon. Member for the county of Inverness, and calls him to account for personal criticism, on the part of a gentleman who is to be called before the Committee as a witness, let me remind the Under Secretary that he has this day declared, in an unequivocal manner, that the whole is a conspiracy in the island of Ceylon, and that persons whose evidence is required are part of the conspirators. [Mr. Hawes: No. I did not say so.] I did not say he used those exact words; but when he said those statements were the consequence of a conspiracy, it would lead to an inference that the witnesses we wished to call to substantiate the statements are, in fact, part of that conspiracy. I am for an investigation into the case. I am for assenting to the Motion of the Under Secretary, to which I would add those words, to the effect that in assenting to the reappointment of the Committee, this House deems it proper to express its disapprobation of the manner in which Her Majesty's Government have evaded the understanding of last Session for the production of witnesses.

Amendment proposed—

"To leave out from the word 'That' to the end of the Question, in order to add the words, 'in assenting to the re-appointment of a Committee to inquire into the grievances complained of in Ceylon, in connexion with the administration and government of that Colony, and to report their opinion whether any measures can be adopted for the redress of any grievances of which there may be shown just reason to complain, and also whether any measures can be adopted for the better administration and government of that Dependency, this House deems it expedient to express its disapprobation of the manner in which Her Majesty's Government have evaded the understanding of last Session for the further production of witnesses in this investigation.'"

Lord J. RUSSELL: Sir, as I was the principal person by whom the understanding was entered into, the House will feel it is necessary for me to address them on the subject of the censure on my conduct which the hon. Gentleman opposite (the Member for Inverness-shire) has uttered. Now, Sir, in doing so I must beg to recall to the recollection of the House what happened at the end of the last Session of Parliament. The Committee came to a resolution after some Members of the Committee had left London, that it was expedient to appoint a commission to go to Ceylon, in order to examine witnesses. When that Motion was brought before the House, I opposed it, as one that would destroy all authority in the Island of Ceylon; and I said I thought that either Lord Torrington should be immediately recalled, or the House should refuse to appoint the commission that was proposed. The House, as I believed, agreed with me in opinion that that commission ought not to be appointed; but in the course of that discussion it appeared that the hon. Gentleman the Member for Buckinghamshire had moved in the Committee for a different and perhaps preferable course, that certain witnesses should be summoned before the Committee. Now, Sir, in speaking upon this subject, I said—I believe it was in consequence of something that fell from the right hon. Baronet the Member for Ripon—that I thought if the witnesses were named by the Committee, that those witnesses would be sent for, and be in attendance in the next Session of Parliament. The words I used on that subject, as I find them recorded, were—

"That if the Committee were to meet again and propose to summon certain witnesses from Ceylon, there could be no difficulty in summoning those witnesses; and unless there was some physical impossibility, which was not likely, having them in attendance when the Committee met next year."—*Hansard*, cvii. 1099.

Now, Sir, I had some apprehension, not unnaturally seeing what frequently occurs, that the plain sense of the words I used might be distorted, and that the hon. Gentleman, expressing his readiness to withdraw his Motion, might pervert the plain sense of my words, and instead of saying the witnesses named by the Committee should be summoned, might put some other interpretation on the proposal I made. I therefore determined, contrary to the advice of the right hon. Gentleman the Member for Ripon, that I would not allow the Motion to be withdrawn, and I called upon the House to put a negative on the Motion, and the House accordingly put a negative on the Motion; therefore the hon. Gentleman cannot say that he withdrew his Motion, or was ready to forego any advantage he might have from the opinion of the House in consequence of that statement of mine. When the Committee met next day, it appeared they came to a resolution which the hon. Gentleman has read—they came to a resolution that the Queen's Advocate in Ceylon, and Captain Watson, and such other witnesses whose attendance might be necessary, should be summoned, and that a communication should be had with the Secretary of State for that purpose. Now, Sir, in coming to that resolution they went certainly beyond anything I have stated in this House—they went, I conceive, beyond the regular powers of a Parliamentary Committee. They stated that certain witnesses should be summoned from Ceylon. So far everything was regular, and in conformity with what I stated; but in proposing, further, that such other witnesses as might be necessary should be summoned from Ceylon, they either meant one of two things—they either meant that the chairman of the Committee should communicate with the Secretary of State, and state to him the reasons why certain other persons should be summoned, placing before him the ground on which they thought their evidence was necessary, and obtain his concurrence that they should be summoned; or else it meant that the chairman of the Committee should have an absolute right to command the Secretary of State, and give orders to him with respect to any witness to be summoned. With regard to that last interpretation, it cannot be held by the House to be sufficient or binding. When I said the witnesses required by the Committee should be summoned, I did not mean that the chairman of the Committee should have absolute power, or that for six months he should have the absolute discretion to summon any witness he might name, and that the Queen's Secretary of State had nothing to do but to obey the orders of the chairman. If that is not the interpretation, I ask of what it is that the hon. Gentleman who made this Motion has to complain? At the end of November the hon. Gentleman wrote a letter, of which I have a copy in my hand, in which he requires that the Secretary of State should summon four witnesses from Ceylon, but gave no reason for summoning them. He said their presence was necessary, but he gave no reason whatever why they should be summoned. He did not state what it was they were called upon to say, and the Secretary of State naturally answered that he did not conceive he had properly the power to summon the witnesses thus named—that it could not but lead to a considerable expense; and Earl Grey said, as he was not aware that the Parliamentary Committee possessed the power of delegating to their chairman the power of summoning what witnesses were to be called, his Lordship did not feel at liberty to incur the heavy expense that would be necessary to make this addition to the witnesses. This discussion must be left to the Secretary of State, and it is impossible that the House could have meant otherwise, for see what is the object of the decision which Earl Grey came to. I asked Earl Grey himself if sufficient reasons were given to him by the chairman of the Committee, and, if it were shown to him that the attendance of those witnesses was necessary, whether he would not have felt at liberty to summon the witnesses. He said, if such grounds were laid before him as he thought were sufficient, he would have proceeded in that course, and felt at liberty to summon the witnesses; but that he was to be at the command of the chairman of the Committee, and obey the dictates that chairman should give him, was not his duty as Secretary of State. And unless you subvert the authority of the Secretary of State, and say he has no discretion, but must obey the orders, not of a Committee, but of the chairman of a Committee, I submit to the House that the resolution moved by the hon. Gentleman the Member for Buckinghamshire cannot be in any manner sustained. The letter was written at the end of November; Parliament has met at the end of January; it is now proposed that the Committee should be reappointed; and if the hon. Gentleman thinks fit, on consideration, to summon those witnesses, there will be two months, and no more, lost by this decision of Earl

Grey. How, then, is it possible to say that my noble Friend has evaded the understanding, or wishes to baffle inquiry? for such is the case as it now stands before the House. If the House agree to the Committee, this question will be brought before it before a single witness is examined. Having referred to what passed with regard to myself, I cannot but say that I deeply regret that the hon. Gentleman the chairman of the Committee should have taken this occasion to raise what may be considered a very painful and exciting discussion relating to the affairs of Ceylon. The hon. Gentleman is not aware—and my hon. Friend the Member for Montrose is not aware—of the consequences of this inquiry. It was necessary for the Governor of Ceylon to put down a formidable insurrection, which might have led to much bloodshed; of that there can be no doubt. Whether, in so putting it down, and punishing the persons engaged in it, he was guilty of greater rigour than was necessary, is a question for the Committee. It is a grave question, affecting not only the character of the Governor, but the authority of this country in all parts of the world, and more especially affecting the tranquillity of that colony. When the hon. Member for Montrose spoke of the conduct of Earl Grey, was he aware that persons in Ceylon have not scrupled to say they have the authority of the Committee to call whom they may—to send home any witness they please, even the chief judges of Ceylon; and by the authority of the Committee they can dispose as they please of persons in that colony. They have gone further, and spread through an ignorant population, consisting of a million and a half of natives, with a very small European population, a report that they have it in their power to punish the Governor, and to recall all the persons that were banished; and have said that the legal authority of the Government was not to be attended to, because they would, by their communications with the hon. Member for Montrose and the Committee, destroy the Government, and send home Lord Torrington to be punished. Now, these are no light matters amidst a population of a million and a half of natives. I think it was a reason when the Committee was appointed that we should avoid exciting topics, and by Gentlemen belonging to that Committee have the question calmly decided. Instead of that, the hon. Member for Inverness-shire, though concurring in the opinion of the hon. Member for Buckinghamshire, that Captain Watson should be examined as one of the witnesses, has thought proper to pronounce the strongest possible invective against the conduct of Captain Watson. Now, I ask, is that the way to proceed? I do hope that that hon. Gentleman, not merely standing now in the situation of an accuser, but also as Chairman of the Committee, will consider that he has great duties to perform, and a serious responsibility. Whatever our responsibility may be with respect to the government of that colony, those who permit inflammatory addresses to be circulated in that colony have also a serious responsibility upon them; and I do hope that, in appointing this Committee (whether the House censure me or not), you will consider that the peace and happiness of an important possession of the British Crown are involved in your decision.

Sir J. GRAHAM: Mr. Speaker, as allusion has been made to me by more than one hon. Member during the progress of this discussion, I cannot remain silent; at the same time I am very unwilling to be dragged into this debate, into which more heat has entered than I think desirable, considering the official character of the inquiry in progress before a Committee of this House. Of that feeling I don't partake in the least degree. I know nothing of this matter, except what occurred in the debate at the close of the last Session—what I collected from the report already on the table of the House—and what I incidentally collected from other organs of public information. The matter which the hon. Gentleman the Member for Buckinghamshire more immediately presses on our consideration now, is a question as to the understanding which was arrived at in this House after the debate at the close of last Session. It has been my misfortune very often to be brought into hostile collision with the noble Lord at the head of the Government; but I must say, having known the noble Lord now for many years, that I know no man who is less capable, either in public or in private, of intentionally breaking any engagement into which he has entered; or any Member of the House who, from his constitutional principles, steadily adhered to through a long political life, would be so little disposed to impede, unfairly or consciously, any inquiry instituted in the Commons' House of Parliament, in their capacity of the grand inquest of the nation.

I cannot, without conclusive evidence, believe that the noble Lord has violated intentionally any pledge given in this House on this subject. That would be my general impression; but my special recollection of what occurred at the close of last Session confirms my general impression. I think the understanding into which the noble Lord entered was limited to this—that the Ceylon Committee might, on the earliest day after the debate was closed, consider the documentary evidence that was necessary—that they should consider the names of the witnesses who were to be summoned—that they were to agree upon those names—and notify those names to the Secretary of State; and the noble Lord undertook that when those names were so notified to the Secretary of State, means should be taken to ensure their attendance. That was the understanding; and looking to what occurred before the Committee, I must say that understanding was complied with. It appears, however, that a difficulty arose in fixing upon the names of the persons to be summoned; and power was given by a vote of the Committee to delegate to the Chairman to communicate to the Secretary of State the names of those persons. I must say, really, my impression is that that vote so carried went beyond the undertaking of the noble Lord; and my difficulty in this case arises from the Secretary of State having concurred in that resolution. By doing so he went beyond the promise of the noble Lord; but I think the noble Lord has given that interpretation to the engagement which it strictly bears. The great question for us now to consider, is, not to come to a vote of censure without any notice given, but to see what the ends of justice require. It is impossible this inquiry can be stifled, or put down in any degree. I do not understand that Government intend to stifle it. I think the inquiry must be prosecuted to the utmost. The more I hear of it, the more I feel that the public interest requires the deepest investigation, and that it should take place with the least possible delay. As to the question of expense, the expense of summoning witnesses is not to be regarded for a moment. Then arises the question of loss of time; but two months only have been lost. The communication was made to the Secretary of State at the end of November, and it was not possible to send for the witnesses until the early part of December; and now, if the Committee are appointed to-day, and meet on to-morrow or Friday, they may agree on the names of further witnesses to be called, so that only two months, in point of fact, have been lost in summoning those witnesses. All the desire that I have on the subject is, that the investigation should be prosecuted, and that it should be conducted fairly, fully, and without reservation, and that no witness whose evidence the Committee think important should be kept back. Before the close of this Session, with ordinary diligence, those witnesses may be sent for, their evidence could be taken, and the inquiry would close. I sincerely regret that any misunderstanding should take place to disturb the judicial character of the inquiry. I shall vote for the reappointment of the Committee, and I am anxious the inquiry should go on; but, on the whole, I cannot vote for any vote of censure such as that contained in the Amendment of the hon. Gentleman the Member for Buckinghamshire.

Mr. F. MAULE begged to make a remark in reference to an observation made by the hon. Gentleman the Member for the county of Inverness. The hon. Gentleman had led the House to suppose that during the insurrection in Ceylon the task of performing a highly responsible duty had been placed in the hands of an officer (Colonel Drought) of no very long standing in the service. It was also complained that Major General Smelt did not repair to the post at which Colonel Drought was stationed; but the fact was that Major General Smelt's attention was devoted to the protection of the capital, and Colonel Drought, the senior officer in command in the disturbed district, was entrusted with the discharge of important duties there. Of what standing in the army did the House think Colonel Drought was? He was of thirty-five years standing. He was an officer distinguished by his zeal in his profession, by his intelligence in the performance of the duties entrusted to him, and had served thirty-three years on full pay.

Mr. BRIGHT said, he rose to offer one or two observations, which he should not have made but for the Amendment of the hon. Member for Buckinghamshire, who had not shown great tact as a leader in the resolution he had submitted. There was a pretty general opinion on both sides of the House that the course taken by Earl Grey, if not intended to evade inquiry, at least laid him open to strong suspicion of it; and he was sure no one on the bench on which he sat would be disposed to sanction such conduct. But the hon. Member's proposition had been made without any notice—without any one supposing that so grave a question as a vote of censure on the Government was to be brought forward. The Motion was one of direct disapproval of the conduct of the Government, though it was quite possible that the course taken had been taken by misapprehension on the part of one Member of the Government, and who was not then present to state precisely the motives from which he had acted. With regard to the question itself, he thought Earl Grey entirely wrong in the course he had taken; and there was a fallacy in the explanation that had been given by the right hon. Baronet the Member for Ripon. He did not think the Committee were to be bound, in the course they took, by any expression which had fallen at the close of last Session from the noble Lord at the head of the Government; they ought to have been, and he presumed were, left at liberty to take the course usually taken by Committees, which was, to leave a considerable power in the hands of their chairman with regard to the summoning of witnesses; and this course was of great advantage to the business of the Committees. In this case the course taken had been precisely the right one, and the only one which it was in the Committee's power to take; for they had not then the names before them, and could not possibly obtain them without communicating with Ceylon. They requested their chairman to make such communication; and when he received his answer, it was his duty to proceed to the Colonial Office, and hand in the names of such parties as he believed to be substantial witnesses, for the purposes of the inquiry. The hon. Member for Inverness-shire did so; and the witnesses he proposed to call, were precisely those whom the House would believe ought to be called, in order to give information on the point. They were Lieutenant Colonel Braybrooke, Lieutenant Henderson (of the Ceylon Rifles), E. J. Waring, Esq. (police magistrate), and Mr. John Selby (advocate), brother, he believed, of the Queen's Advocate. Had the hon. Gentleman acting for the Committee called three or four men of no character, or of unknown character—men who might be supposed to be strong partisans against Lord Torrington, and from whom only a very coloured and garbled account of these transactions might be supposed likely to be obtained—then Earl Grey might have hesitated. As it was, he protested against the noble Lord refusing to summon these persons, and refusing almost entirely on the ground of expense. [An Hon. **Member**: No, no!] In a letter addressed to the chairman of the Committee by the hon. Gentleman the Under Secretary for the Colonies, he said—

> "Lord Grey is not aware that a Parliamentary Committee possesses the power of delegating to its chairman the power of deciding what witnesses are to be called for; and his Lordship does not feel himself at liberty, without the express authority of the Committee, to incur the heavy expense which would be occasioned by directing the attendance of the additional witnesses whose names you have given."

It had been expressly understood that two or more witnesses should be called; and it certainly was not unreasonable that the chairman should select four respectable men, and parties whom the Committee might fairly examine. The number certainly did not exceed what it might be supposed the Committee required to be called, when they left it to their chairman to choose such others as it might be necessary to examine. He agreed in what had been said as to the impropriety of the course taken by Earl Grey; it was a very bad thing for his own case, for Lord Torrington, and for the Government, that he should have hesitated in a matter like this. The noble Lord at the head of the Government said this was a very exciting subject in the colony. No doubt of it. But the proper way to put down excitement in that colony, and to prevent its springing up in others, was for that House to show the most determined resolution to have the fullest and speediest inquiry which the circumstances would permit. The condition of our colonies was not so favourable that we could afford to allow charges of this nature to remain uninvestigated—charges which, if only half substantiated, would bring the utmost disgrace on Lord Torrington, and would heap discredit on the Government that had backed him for the last twelve or eighteen months. Were only half these charges proved, it would justify all, and more than all, that had been said by hon. Gentlemen who were opposed to the Colonial Office on this question. If the hon. Member for Buckinghamshire would substitute for his Motion, "That the witnesses whose names were handed in to the Colonial Office be forthwith summoned to attend this Committee," he (Mr. Bright) should be extremely happy to vote with him; and that would sufficiently show the opinion of the House with regard to their not having been called by Earl Grey; but he would not, under the circumstances, consent to vote for the Motion the hon. Gentleman had made; and he did not like to go into the same lobby with the Government on this Motion, without this brief explanation of his reasons for doing so.

Major BLACKALL said, that as far as his recollection served him, the reasons which influenced the Committee in deciding upon summoning Mr. Selby and Captain Watson, were, that those persons would be able to prove or disprove certain charges made before the Committee; one of which was founded upon certain letters containing expressions said to have been used by Lord Torrington; another of the charges being that Lord Torrington had communicated with Captain Watson, instead of, as is the usual course, giving instructions to the commanding officer. It was agreed by the Committee that those witnesses should be called, and the chairman was authorised to communicate with the Colonial Office as to the necessary witnesses to be ordered home to give evidence before the Committee to be appointed in the ensuing Session. The hon. Under Secretary of State for the Colonies, though he assented to that resolution, stated that evidence would be required to be given to show that the attendance of such witnesses was necessary. He regretted that expressions had been made use of in the course of the debate which seemed to assume that all the charges which had been made had been distinctly proved; and it was with extreme pleasure that he heard the testimony borne by the right hon. Gentleman the Secretary at War to the conduct of Colonel Drought. In his (Major Blackall's) opinion, there was no person whose character would be a better guarantee that no act of cruelty or unnecessary violence would take place, or to whom at the same time the safety of the colony and the honour of the troops could be more safely confided than to that gallant officer.

Mr. DISRAELI: Sir, if the House will permit me to make a few observations on the Amendment which I have proposed, I shall feel obliged. There seems to be some reason for opposing that Amendment, because it contains a general disapproval of the Government, rather than of one single Member of it. For my part, I cannot recognise the principle, that the act of any individual Member of the Cabinet is not shared by the general Government; and nothing, in my opinion, could be more unfair, in any Motion or proposition of this sort, than to single out for censure any one particular Minister, and not to make your expression of censure a general one. That is the only reason why I adopted the language contained in the Amendment. I acknowledge the justice of the criticism which has been made upon the Amendment, that no notice has been given of a resolution which is equivalent to a vote of censure. I have no idea of taking the House by surprise upon this subject. It is an Amendment which grew up out of the Motion on the subject. The hon. Under Secretary of State for the Colonies has made a Motion of a particular character, which called for some expression of opinion upon the part of hon. Members; and indeed it was expressed by the other side as a matter of astonishment that the hon. Member for Inverness-shire had not moved some Amendment upon that Motion. I myself have no wish—if it is supposed that notice has not been given of what may be called a vote of censure—I have no wish to insist on my Motion, and if the House will permit me I will withdraw it. But in acceding to the suggestion of the hon. Member for Manchester, which appears to me an excellent one, I can only look upon it as one which involves a censure upon the Government also; and if after the production of the letter of the noble Lord the Secretary of State for the Colonies, and the expressions made use of by a Member of the Government, the House avails itself of the suggestion of the hon. Member for Manchester, which I leave in his hands, and am willing to support him, I must still consider it as virtually a censure upon the Government.

Mr. V. SMITH said, that as the hon. Member for Buckinghamshire, the great leader of the Protectionist party, had consented to put his Motion in a better position by the suggestion of a Jacobin freetrader, a greater victory could not be taken by the hon. Member for Manchester than that of his present position, in which he had taught the leader of the opposite party what tactics he ought to pursue in that House. If the Amendment of the hon. Member for Buckinghamshire were withdrawn, and the suggestion of the hon. Member for Manchester substituted in its stead, he should feel it his duty to oppose it, for this reason—they were not now in the position in which they were when the hon. Member for Inverness-shire made his proposal to the noble Lord the Colonial Secretary. He quite agreed in the opinion that it was unwise in the noble Lord to reject the proposal made by the hon. Gentleman the Chairman of the Committee, in a case in which it was of so much importance that a full and complete inquiry should take place. The expenses of bringing over the witnesses were but a mere trifle in comparison with the magnitude of the inquiry. The House had now to consider the question in another point of view. The Committee were now upon the point of being reappointed, and, in his opinion, it would be advisable, and more respectful to the Committee, to allow it to decide for itself how many and what witnesses should be sent for from the colony, now that the noble Lord had refused to send for them, at the suggestion of the Committee.

Mr. HENLEY considered that it was scarcely possible, whatever arrangements might be made, that any full or complete inquiry could be made at all this Session. The delay of two months, or of ten weeks, which had been spoken of, was not the whole of the results of this refusal of the noble Lord at the head of the Colonial Office. They had been told that two witnesses had been sent for, and that, somehow or other, there were four or five others ready to be examined, which would occupy the time of the Committee till the arrival of the others. The effect of this would be, that the selected witnesses called to upset the case—if he might use such a term—would be examined first, and when the Session had nearly terminated, the witnesses would be called who were to establish the case. Such would be the practical effect—he did not say that it was intended it should be so, nor did he charge any one with any intentions of the sort; but no person would ever consent to go into an inquiry in which the adversary's case, which ought to be the reply, should be allowed to come out first, and throw discredit upon everything which they were going to state, before they had had an opportunity of stating their case.

Lord J. RUSSELL: I cannot give my consent to the Amendment of the hon. Member for Buckinghamshire being withdrawn. If it is not a censure upon the noble Lord at the head of the Colonial Office, I consider it a censure upon myself and the Government, and shall therefore oppose its withdrawal.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 140; Noes 68: Majority 72.

List of the Ayes.

Abdy, T. N.
Acland, Sir T. D.
Adair, R. A. S.
Aglionby, H. A.
Anson, hon. Col.
Anstey, T. C.
Armstrong, Sir A.
Armstrong, R. B.
Baines, rt. hon. M. T.
Baring, rt. hon. Sir F.T.
Bellew, R. M.
Berkeley, C. L. G.
Blackall, S. W.
Blair, S.
Bowles, Adm.
Bright, J.
Brocklehurst, J.
Carew, W. H. P.
Caulfeild, J. M.
Chaplin, W. J.
Clay, J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Clive, hon. R. H.
Cocks, T. S.
Compton, H. C.
Copeland, Ald.
Cowan, C.
Craig, W. G.
Crowder, R. B.
Cubitt, W.
Dalrymple, Capt.
Davie, Sir H. R. F.
Davies, D. A. S.
Duckworth, Sir J. T. B.
Duncan, Visct.
Duncan, G.
Duncuft, J.
Dundas, rt. hon. Sir D.
Dunne, Col.
Ebrington, Visct.
Elliot, hon. J. E.
Enfield, Visct.
Fagan, W.
Ferguson, Sir R. A.
Fitwilliam, hon. G.
Fortescue, hon. J. W.
Fox, R. M.
French, F.
Gibson, rt. hon. T. M.
Graham, rt. hon. Sir J.
Grattan, H.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hallyburton, Lord J. F.
Hanmer, Sir J.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heald, J.
Henry, A.
Hervey, Lord A.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Howard, Lord E.
Howard, hon. C. W. G.
Inglis, Sir R. H.
Jervis, Sir J.
Jocelyn, Visct.
Kershaw, J.
Labouchere, rt. hon. H.
Lacy, H. C.
Langston, J. H.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Loveden, P.
Macnaghten, Sir E.
M'Cullagh, W. T.
Mahon, Visct.
Marshall, W.
Masterman, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Monsell, W.
Morris, D.
Norreys, Sir D. J.
O'Connell, M. J.
Ogle, S. C. H.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pechell, Sir G. B.
Pelham, hon. D. A.
Pendarves, E. W. W.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, Dr.
Rawdon, Col.
Reid, Col.
Ricardo, J. L.
Rich, H.
Richards, R.
Romilly, Sir J.
Russell, Lord J.
Russell, F. C. H.
Sandars, J.
Scrope, G. P.
Seymour, Lord
Sidney, Ald.
Simeon, J.
Smith, rt. hon. R. V.
Smith, J. B.
Smythe, hon. G.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Tennent, R. J.
Thompson, Col.
Thornely, T.

Tufnell, H.
Turner, G. J.
Walpole, S. H.
Watkins, Col. L.
Wellesley, Lord C.
Willcox, B. M.
Williams, J.
Wilson, J.
Wilson, M.
Wood, W. P.

TELLERS.

Hill, Lord M.
Grey, R. W.

List of the NOES.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Bagot, hon. W.
Baillie, H. J.
Bateson, T.
Bennet, P.
Bernard, Visct.
Best, J.
Bremridge, R.
Brisco, M.
Broadley, H.
Brooke, Lord
Buck, L. W.
Chatterton, Col.
Conolly, T.
Cotton, hon. W. H. S.
Disraeli, B.
Dodd, G.
Farrer, J.
Forbes, W.
Forester, hon. G. C. W.
Fuller, A. E.
Gaskell, J. M.
Greenall, G.
Greene, J.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Halford, Sir H.
Halsey, T. P.
Hamilton, G. A.
Hamilton, Lord C.
Henley, J. W.
Hildyard, R. C.
Hodgson, W. N.
Hood, Sir A.
Hornby, J.
Horsman, E.
Hume, J.
Law, hon. C. E.
Long, W.
Lopes, Sir R.
Mackenzie, W. F.
Manners, Lord C. S.
Manners, Lord G.
Meux, Sir H.
Miles, W.
Molesworth, Sir W.
Morgan, O.
Mullings, J. R.
Naas, Lord
Napier, J.
Newport, Visct.
Packe, C. W.
Prime, R.
Spooner, R.
Stanley, E.
Stuart, H.
Stuart, J.
Sullivan, M.
Tollemache, J.
Verner, Sir W.
Walmsley, Sir J.
Walsh, Sir J. B.
Wegg-Prosser, F. R.
Welby, G. E.
Willoughby, Sir H.

TELLERS.

Beresford, W.
Newdegate, C. N.

Mr. HUME moved the addition, at the end of the original resolution, of the words —"And that Lieutenant Colonel Braybrooke, Lieutenant Henderson, E. S. Waring, Esq., and John Selby, Advocate, be summoned to attend the said Committee."

Lord J. RUSSELL said, that if the last Amendment was a censure upon the Government, the present one was a censure upon the Committee. The more usual and natural course was to leave it to the Committee to decide what witnesses should be called, and he thought that the matter should be left entirely in the hands of the Committee. Why the House should interpose, or say by its resolution that the Committee were not to be trusted to decide as to what witnesses were to be called, he was not aware.

Mr. HUME stated, that the mails would leave to-morrow, and it would be desirable, in order to avoid any further delay, that the order for the attendance of the witnesses should be transmitted by that mail, which they would be enabled to do if the House at once decided the question.

Mr. HAWES said, that although one mail left to-morrow, still that the ordinary mail would not leave till the 20th of this month. The mail of to-morrow would go by way of Bombay, and there would be but the difference of a few days in the arrival of that and of the one of the 20th. He was perfectly prepared to move the reappointment of the same members who formed the Committee of last year, and he was prepared to nominate them at once, so that they might meet to-morrow, when he would be ready to state his reasons for objecting to any witnesses, or naming others, which the Committee might please to decide upon. He would also state that several witnesses were ready to be examined before the Committee; and inasmuch as the parties against the Governor of Ceylon had had the whole of the last year to produce their witnesses, and to substantiate their charges, it was not exceedingly unfair that the Committee should now hear some of the witnesses upon the other side.

Question put, "That those words be there added."

The House divided:—Ayes 100; Noes 109: Majority 9.

List of the AYES.

Adair, H. E.
Adderley, C. B.
Anstey, T. C.
Archdall, Capt. M.
Arkwright, G.
Bagot, hon. W.
Baillie, H. J.
Bateson, T.
Bennet, P.
Beresford, W.
Bernard, Visct.
Best, J.
Blair, S.
Bremridge, R.
Bright, J.
Brisco, M.
Broadley, H.
Brooke, Lord
Buck, L. W.
Carew, W. H. P.
Chatterton, Col.
Cocks, T. S.
Coles, H. B.
Compton, H. C.
Conolly, T.
Cotton, hon. W. H. S.
Cubitt, W.
Disraeli, B.
Dodd, G.
Duckworth, Sir J. T. B.
Duncuft, J.
Fagan, W.
Farrer, J.
Forbes, W.
Forester, hon. G. C. W.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gibson, rt. hon. T. M.
Greenall, G.
Greene, J.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Halford, Sir H.
Halsey, T. P.
Hamilton, G. A.
Hamilton, Lord C.
Heald, J.
Henley, J. W.
Henry, A.
Hervey, Lord A.
Hildyard, R. C.
Hodgson, W. N.
Hood, Sir A.
Hornby, J.
Horsman, E.
Inglis, Sir R. H.

Kershaw, J.
Lacy, H. C.
Law, hon. C. E.
Long, W.
Mackenzie, W. F.
Manners, Lord C. S.
Manners, Lord G.
Meux, Sir H.
Miles, W.
Morgan, O.
Mullings, J. R.
Naas, Lord
Napier, J.
Newdegate, C. N.
Newport, Visct.
Packe, C. W.
Pilkington, J.
Prime, R.
Reid, Col.
Repton, G. W. J.
Sidney, Ald.
Simeon, J.
Smith, J. B.
Smythe, hon. G.
Spooner, R.
Stanley, E.
Stuart, H.
Stuart, J.
Sullivan, M.
Taylor, T. E.
Thompson, Col.
Tollemache, J.
Trevor, hon. G. R.
Turner, G. J.
Verner, Sir W.
Walmsley, Sir J.
Walpole, S. H.
Walsh, Sir J. B.
Wegg-Prosser, F. R.
Welby, G. E.
Williams, J.
Willoughby, Sir H.

TELLERS.

Hume, J.
Molesworth, Sir W.

List of the NOES.

Abdy, T. N.
Adair, R. A. S.
Aglionby, H. A.
Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.
Baines, rt. hon. M. T.
Baring, rt. hon. Sir F. T.
Bellew, R. M.
Berkeley, C. L. G.
Bernal, R.
Blackall, S. W.
Bowles, Adm.
Brocklehurst, J.
Caulfeild, J. M.
Cayley, E. S.
Chaplin, W. J.
Clay, Sir W.
Clements, hon. C. S.
Clerk, rt. hon. Sir G.
Clifford, H. M.
Clive, hon. R. H.
Copeland, Ald.
Craig, W. G.
Crowder, R. B.
Dalrymple, Capt.
Davie, Sir H. R. F.
Davies, D. A. S.
Duncan, Visct.
Duncan, G.
Dundas, rt. hon. Sir D.
Dunne, Col.
Ebrington, Visct.
Elliot, hon. J. E.
Enfield, Visct.
Ferguson, Sir R. A.
Fitzwilliam, hon. G. W.
Fortescue, hon. J. W.
Fox, R. M.
French, F.
Graham, rt. hon. Sir J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Hallyburton, Ld. J. F. G.
Hanmer, Sir J.
Harris, R.
Hastie, A.
Hastie, A.
Hawes, B.
Hayter, rt. hon. W. G.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hollond, R.
Howard, Lord E.
Howard, hon. C. W. G.
Jervis, Sir J.
Jocelyn, Visct.
Labouchere, rt. hon. H.
Langston, J. H.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Loveden, P.
M'Cullagh, W. T.
Mahon, Visct.
Marshall, W.
Masterman, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Monsell, W.
Morris, D.
Mulgrave, Earl of
O'Connell, M. J.
Ogle, S. C. H.
Paget, Lord A.
Paget, Lord C.
Palmerston, Visct.
Parker, J.
Pelham, hon. D. A.
Pendarves, E. W. W.
Pinney, W.
Plowden, W. H. C.
Power, Dr.
Rawdon, Col.
Rich, H.
Richards, R.
Romilly, Sir J.
Russell, Lord J.
Russell, F. C. H.
Sandars, J.
Scrope, G. P.
Seymour, Lord
Smith, rt. hon. R. V.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Stansfield, W. R. C.
Tennent, R. J.
Thornely, T.
Tufnell, H.
Wall, C. B.
Wellesley, Lord C.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wood, W. P.

TELLERS.

Grey, R. W.
Hill, Lord M.

And it being Six of the clock, Mr. Speaker adjourned the House till To-morrow, without putting the Question.

HOUSE OF LORDS,

Thursday, February 7, 1850.

MINUTES.] *Reported.*—Registrar's Office, Bankruptcy.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, February 7, 1850.

MINUTES.] NEW WRITS.—For Kirkcudbright, *v.* Thomas Maitland, Esq., one of the Judges of the Court of Session.

NEW MEMBER SWORN.—For Windsor, John Hatchell, Esq.

PUBLIC BILLS. 1° Glasgow Markets and Slaughterhouses; Process and Practice (Ireland); Court of Chancery (Ireland); Registration of Deeds (Ireland); Judgments (Ireland); Marriages; Pirates (Head Money) Repeal; Life Policies of Assurance.

Reported.—County Cess (Ireland).

ECCLESIASTICAL COMMISSION—MR. HORSMAN'S LETTER.

MR. ROEBUCK: Sir, I wish to ask a question of the noble Lord at the head of the Government and of the right hon. Gentleman the Secretary of State for the Home Department, and, as the hon. Gentleman the Member for Cockermouth is also present, I would beg to solicit his attention also. No doubt it must be in the recollection of the noble Lord opposite, and of the right hon. Gentleman, that some time since a letter signed "E. Horsman" appeared in the public papers. In that letter—and the reason I put the question is, because I believe the honour of the House is concerned, and that the sooner some explanation of a remarkable circumstance like this is given the better for all parties, and more particularly for the honour of the House and the Administration—the letter charges the noble Lord opposite—I beg the noble Lord's pardon for making use of such phraseology, but such are the terms here—charges him with something like a fraud. The charge is not mine; I hope the noble Lord will understand that. It charges the noble Lord opposite with a fraud upon this House—that he, having given a promise to an hon. Member of this House, in the face of this House, employed as the instrument of the fraud—for I can use no other word—the right hon. Gentleman who is now seated on his left hand. And, lest there should be any misunderstanding in the matter, I will read the words of the letter to which I find the hon. Gentleman's name appended, because I wish the House to understand that the charge is not mine; but that there is made against the noble Lord opposite and the right hon. Gentleman a charge which I wish them to explain, and which, I am sure, the country will be glad to have explained. The letter says, respecting the Ecclesiastical Commission—

"But the subsequent proceedings were still more strange. Interviews were sought with the Prime Minister, and a representation made to him of the unlooked-for character of the Bill; and its objectionable clauses having been pointed out, it was urged that it could not give satisfaction, or be accepted as a settlement of the question, unless framed more in accordance with the recommendation of the Committee. Lord J. Russell took time to see the Archbishop of Canterbury, and replied to me by arrangement on the following Tuesday in the House. His words were to this effect—that having conferred with the Archbishop, he was now ready to adopt the alterations which had been suggested to him, and having done so, he expected the Bill to pass without further opposition. Nothing could be a more satisfactory declaration to us that our suggestions had been adopted, and that the recommendations of the Committee would now be carried out in the Bill. And when the noble Lord proceeded to say that he should invite the House to go into Committee on the Bill *pro formâ*, in order to introduce those Amendments, and asked for a few days' delay, we readily assented. It was true, the delay was very dangerous—it was late in the Session; every day was now precious; and during, not that Session only, but the three antecedent ones, it had been a constant battle for delay on the part of the Government. Nevertheless, we had now the Minister's word—his assurance that the Bill would be put into such a shape as to secure its passing without difficulty, completely satisfied us—and we thus allowed ten more days to be lost. The House then went into Committee *pro formâ* on the Bill; it was late at night, and the House impatient. The Attorney General was moved into the chair. The Home Secretary handed in his Amendments—they were put, one after another, from the chair—no one heard a word—and no one tried to hear. It was a matter of course that they were the Amendments which the Prime Minister had promised should be introduced in that Committee. I should as soon have dreamt of keeping my eye on a Cabinet Minister lest he should steal my hat, as of suspecting him of substituting one set of Amendments for another which had been promised. So the business was galloped through, as formal business usually is, at half an hour past midnight. The Amendments were reported to the Speaker, and the Bill ordered to be reprinted; and, though some days more must be lost in the reprinting, we left the House with the conviction that at last one step had been achieved in the great and important work of Church reform, and that the days of the Ecclesiastical Commission, in its then mischievous and irresponsible shape, were numbered. You may therefore imagine, but I cannot describe to you, my surprise when the reprinted Bill came out. I could hardly believe my eyes. Not a single one of the promised Amendments had been introduced; nay, it was impossible to discover, from the beginning of the Bill to the end, that one single line or one single syllable had been altered so as to bring it more into conformity with the recommendations of that Committee on whose report it was professedly founded. Where, then, were the slips of paper which I saw the Home Secretary hand in, as the promised Amendments, to his Colleague in the chair? I leave you to judge. On the character of that proceeding I will not permit myself to make a single comment. But its result was, that the Government had succeeded in gaining a whole month at the close of the Session; and the raising a remonstrance or reviving a discussion at that late period, with a view of getting a good Bill passed, was entirely hopeless. The Government had accomplished its purpose of postponing an improvement of the Ecclesiastical Commission now for the fourth year."

Now, I heard the hon. Gentleman, when he brought forward a Motion upon this matter the other night, say that he reiterated that charge. [Lord J. Russell dissented.] I beg the pardon of the noble Lord if I am mistaken; I hope I am; but the noble Lord will understand that the charge is one which it is for the dignity of the House and the honour of all of us, should be answered at once. The hon. Member for Cockermouth has not made it hastily—not in a speech in which he could be carried away—but in a letter signed by his name within three weeks of the assembling of Parliament. And he charges the noble Lord opposite distinctly with fraud, and that he employed for his instrument in that transaction the right hon. Gentleman the Secretary of State for the Home Department. Now, I want to ask the hon. Gentleman whether that charge which he has so gravely, so sedately made, is one to which he now adheres, and what steps are about to be taken to satisfy the country and the House that the charge is true or untrue?

Lord J. RUSSELL: Sir, as the hon. and learned Gentleman has come down to this House for the purpose of reading a paper making a personal attack upon my character, I think it would at least have been civil—perhaps right to the House—that he should have given me some notice.

I say that that was the more necessary course, because I have never read one word of the production to which he has alluded. I was told that there was an attack upon my character, signed by the hon. Gentleman the Member for Cockermouth, and I thought that, if he had an attack to make, he would come forward in this House and make it, and then I should have been able to answer him on those particulars, so stated. I have, however, I repeat, never read, though I have heard in conversation, some small part of the statement which the hon. and learned Gentleman has read to the House. Now, Sir, with regard to these particular allegations, though I can't say that my memory will enable me to answer as to each particular transaction that took place, yet I will state generally what has been my course in this matter. And, in stating that course, I hope I shall be allowed this credit with the House—that in a matter which concerned the composition of the Ecclesiastical Commission, very much affecting the state of the Church and its welfare, it was my object to obtain the assent of this and the other House of Parliament, including the distinguished prelates of that Church, to an arrangement as beneficial to the Church and the country as possible. The hon. Gentleman the Member for Cockermouth, in the speech he made the other night, totally omitted one part—and, I think, very essential part—in the history of these transactions. I am sorry that I am obliged to refer to them; but, after the hon. and learned Gentleman has made the statement, and read the paper he has done, I think there is but one course open to me. In the year 1846, when I came into office, I communicated with some persons connected with the Church, and with the Ecclesiastical Commission, that, though I had never made any public remarks upon the conduct of that Commission, I was very ill satisfied with its composition, as being too numerous, as being ill-adapted to conduct the business, and, therefore, requiring amendment. In the beginning of the following Session—that was, in April, 1847, I introduced a Bill which, among other provisions, provided that there should be a paid chairman of an Estates Committee appointed by the Crown—that he, with six others appointed by the Commission, was to form the Committee of Estates, and that without his presence no business should be transacted in that Committee. Another part of the Bill which I introduced provided that the offices of treasurer and secretary, formerly united, should be separated, and be no longer held by the same person. I no sooner introduced that Bill than the late Archbishop of Canterbury gave me notice that it would be opposed; and still more strongly, soon afterwards, that he believed it would be opposed in the House of Lords by all the members of the Ecclesiastical Commission belonging to the Church. Upon that course being taken, it appeared to me that the Bill, which had not attracted much public attention, would not, if it went up late, have had much chance of success in the Session of 1847; and that it was advisable that the public generally, and the House especially, should be acquainted with the composition of the Ecclesiastical Commission, and the mode of carrying on business. My hon. Friend the Member for Malton had given notice that he meant to move for a Committee; and I informed the late Archbishop of Canterbury, that as he had taken that step, my only course would be to give my support to the proposition for the appointment of a Select Committee. Now, in the appointment of that Committee, it was stated that there was some arrangement, some understanding, with the late Archbishop of Canterbury. That is so far from being the case, that the Archbishop entirely disapproved of, and dissented from, the appointment of any Committee, which was, however, nevertheless, appointed in the face of that dissent. I state these facts to show that it was not from the House that the proposal to reform and to alter the composition of the Ecclesiastical Commission to a certain extent originated, but from my view and those of each of my Colleagues concerned, that the composition of that Commission had not been satisfactory. I think that that is of some importance, because this part of the case has always been represented in a manner at variance with the facts. Many very able Members of this House were appointed upon that Committee, and they took a view even stronger than I had done, thinking that it was necessary to appoint, not one, but three paid Commissioners, to assist the business of that Estates Committee. I come now to the hon. Gentleman's statement, that he was about to bring forward some question—that he applied to me as to the difference that there was between the Bill which I had introduced and the report of the Select Committee—and that he requested that that Bill should be altered so as to meet his views. I certainly, after hearing his suggestions, communicated with the late Archbishop of Canterbury, and learnt his views upon the subject. I likewise communicated with other members of the Committee, more especially with my right hon. Friend near me, and I learnt from him as well as from others, that they did not put the same interpretation upon the recommendation of the Committee which the hon. Member for Cockermouth had put. I agreed, however, that it was advisable to make some considerable alterations in the Bill as I had proposed it, and especially that several of the proposed members of the Committee should be omitted in the Bill. With regard to other points I certainly did not concur, and I don't remember exactly what were the words I used, but I think I could not have said more than that the suggestions of the hon. Gentleman had been considered, and that we meant to make some alteration in the Bill. If I said that everything he proposed was to be adopted, I certainly used the words that did not imply my meaning, because I had not found any person, either the late Archbishop of Canterbury or any other person, who took exactly the same views as to his recommendations. But after I had gone thus far, upon further communication with the present Archbishop of Canterbury, I found that he had very strong objections to the appointment of more than one commissioner to be paid out of the revenues of the Church. He stated that the Ecclesiastical Commissioners whom he had consulted, and the bishops with whom he had conversed, had concurred in thinking that one Commissioner paid from the revenues of the Church would be quite sufficient, and that any further payment would be depriving the Church of those means of supplying spiritual instruction in the larger parishes which they considered was an object to the Commission and to the country at large. I did not entirely agree with that view, but I certainly did propose to make amendments in the Bill which should, to a certain degree, conciliate the opinion of the Archbishop of Canterbury, and enable us to pass the Bill through the other House of Parliament. In so doing, if I may be allowed to state it, my motive was a double one. First, it was, that I should be enabled to make what I considered was a very great improvement in the construction of the Commission, by which there should be an Estates Committee, having on it a person receiving a salary, and responsible for all the business of that Committee. In the second place, I thought that, unless I carried with me, to a certain extent, the consent of the prelates at the head of the Church — the Ecclesiastical Commission being kept up, and that Estates Committee being decided on by a majority of the House of Lords—there never would be any harmony between the two bodies in the Commission, and the successful working of the Commission would be greatly impeded. With that view, therefore, after many consultations and much consideration, I framed the amendments. With regard to the manner of introducing those amendments, it was done in the same way in which amendments *pro formâ* are always introduced, namely, the clauses with the alterations are put in at once. The chairman of the Committee does not put the separate question, but the Bill is afterwards printed for the consideration of the House, and some time is allowed before the House is asked to go on with it. Exactly the same course was taken with this Bill. It is very likely that I ought to have explained sooner to the hon. Gentleman, and more in detail, after the various communications I had with him, how far I had adopted the suggestions he had made, and how far the Bill I had introduced was to be altered. I confess it would have been proper that I should have made that communication; but as the Bill was to be printed—as it was to be brought under the consideration of the House again, I own I think the hon. Gentleman's saying he would as soon have thought of my right hon. Friend stealing his hat as putting in any amendment that was not exactly in accordance with his views, appears to me an expression, I won't say exhibiting bitter hostility on his part, but rather the result of inflated vanity. With respect, therefore, to that charge of fraud, I am not going to fly into a passion on that subject. I can only say that I entirely despise any such charge, and that I must rely not on any detailed proof that I can give to the House as to what took place day by day, and what I proposed day by day; but that, having been many years a Member of this House, I may obtain credit for being incapable of the baseness that has been attributed to me. I must rely upon the House, and upon the position which I hold in the House —a position which I should indeed be unworthy of holding if I were capable of committing a disgraceful fraud for the purpose of deceiving the hon. Gentleman about the composition of the Ecclesiastical Commission. I will only add, on the matter of patronage, that any alteration that could be made, proposed rather to diminish than increase any patronage that might be in the Crown. It was very desirable, in a matter of such importance, in which we thought some reform should be made, that the heads of the Church, and especially that he for whom as a man, independently of his high position, I entertain the highest respect—I mean the present Archbishop of Canterbury, should be satisfied. Anxious as I believe he is for the reform and for the spiritual welfare of the people, I thought it but right that I should in some degree conciliate his support and his goodwill towards the measure. These, then, have been the motives on which I have acted. I do not know that I can give any further explanation to the House. I do not think it necessary for me to resent any further the charge that has been made. Perhaps the hon. and learned Gentleman might have given me notice of his question; but, on the whole, I am very well satisfied with the matter as it stands.

Sir G. GREY: Sir, though the hon. and learned Member for Sheffield has not given me either any notice of his intention to bring forward this question, I wish to say a few words, being somewhat differently circumstanced from my noble Friend, as I had the misfortune to read some weeks ago the letter to the inhabitants of Cockermouth, to which allusion has been made. Having read that letter, I did, at the close of my speech the other night, notice the charge contained in it, though, at the same time, I felt that it was really beneath my notice. ["Hear, hear!"] I noticed it under the apprehension—I use the word advisedly—that if I had not done so, the hon. Gentleman might, in the course of the next twelve months, write another letter to his constituents taunting me with the fact that he had written the former letter containing a charge of wilful fraud against me, and that I had admitted its truth by abstaining from alluding to it. I read the letter, I confess, with feelings of astonishment, not unmingled with shame—astonishment, not at the charge having been made, but that it should not have been made until the month of December or January last, referring, as it did, to a transaction that had occurred, according to the statement of the hon. Gentleman himself, in the last Session of Parliament, and six weeks before its termination, though every night of that period the hon. Gentleman might have brought forward, in the presence of my noble Friend and myself, the charge which he has thus dressed up for his constituents at Cockermouth, when the charge and the answer to it would have gone forth together. I shall not enter into the subject now, further than to state that I unequivocally deny the imputation that has been made by him against me. I may also say that, from all the communications that I have had with my noble Friend on the subject, I never had the slightest reason to suppose that my noble Friend intended to adopt the suggestions that emanated from the hon. Gentleman. That Bill having been entrusted to my charge, and my noble Friend thinking that the Bill ought to be committed, *pro formâ*, with a view of having the Amendments printed prior to being considered by the House, I did that which every Member of the House does under such circumstances, and which the hon. Gentleman knows is always done in this House—namely, not hand the Amendments separately, on slips of paper, to the chairman of the Committee, but move that the Bill, as amended, be committed, *pro formâ*, when the chairman reports the Bill to the House, with a view to its future consideration on a subsequent day. Nothing was gained by the adoption of that course further than meeting the convenience of the House. The Bill was, on the 14th of June, committed, *pro formâ*, and on the 20th of June it was reprinted—the House sitting until August—and yet this charge was never brought forward by the hon. Gentleman until December, 1849, or, I believe, until January, 1850.

Mr. HORSMAN: Sir, the noble Lord, and still more the right hon. Baronet, have in their speeches, done that which I shall very carefully avoid; they have infused a great deal of warmth and heat into the discussion upon a question which I intend to make one merely of facts and evidence. As I said the other night, I have been some years in this House. I wrote a letter deliberately. I knew the high position held by those who were affected by the charges I made. I knew the cheers they were sure to meet with in this House when they alluded to those charges. I knew the sympathy that men standing in their position ought to command in this House when charges so seriously affecting their character were made against them. And I knew, as I said the other night, that I must prejudge every honourable and highminded man in this House who either regarded the character of the House or of public men, by the boldness and gravity of the charges which I made. I knew, also, that I must have the greatest difficulty in substantiating those charges if I were called on to substantiate them. And I knew that if I were so called on and could not substantiate them, I must have been held mad to make them. I remember only a few years ago, when a right hon. Gentleman, holding the position which the right hon. Baronet now holds, had similar charges brought against him—I know the course he took. The Member making those charges was asked if he were prepared to substantiate them; and the right hon. Gentleman said, that he could not consent to sit in that place whilst those charges made against him remained unanswered. He offered the hon. Gentleman a Committee. He took that course which, I think, as an honourable man, he was bound to take; and the Member making those charges against a high Minister of State, failing to substantiate them, had the censure of the House pronounced upon him. Well, I knew that that might be my fate, and, as I valued my future position or usefulness in this House, a fate I should look to with dread. Knowing all that—feeling it—foreseeing it—I deliberately made that charge, I advisedly published it, and I stand here, in the presence of this House, to avow, to maintain, to reiterate, and to offer to prove it. I now leave the matter in the hands of the House. The noble Lord speaks of his position in this House and his character as a statesman; well, Sir, I am well aware of that, and it is an appeal to this House which a Prime Minister never can make in vain. It is one I foresaw he would make; and I knew it would meet with sympathy—knowing all this, I repeat, I reiterate that charge in the presence of the noble Lord, in the presence of the right hon. Gentleman, in the presence of this House; and I say to the House that I am prepared to prove it. [The hon. Gentleman sat down, but presently after again rose and said—] I have stated that I am prepared to prove that charge; but, at the same time, I wish to remark that I stand here in a different position from the noble Lord or the right hon. Baronet. I stand here unsupported; but having sat in this House for some time, and lest it should appear that this offer on my part is unworthily made, I do say that I think the Government, from a sense of justice to me, and I think I have a right to add, from a sense of justice to themselves, ought to allow me the opportunity which I claim of proving my charge. Supported as I am by no party in this House, I shall leave the question to be decided by the House.

LORD J. RUSSELL: The hon. Gentleman says he has made a charge, and that he reiterates it; but he does not state to the House what that charge is. He refers to some letter which he has written to his constituents, and he says that he reiterates what he states there. What I think the hon. Gentleman should do, if he wishes to prove any charge against my right hon. Friend or me, is to come forward and state what his charges are, and to ask for a Committee to investigate them. I shall not oppose the appointment of such a Committee when he has made his charges and satisfied the House that there is a case for investigation.

Subject dropped.

RATING OF DWELLING-HOUSES.

MR. P. SCROPE rose to move for leave to bring in a Bill to exempt dwelling-houses below a certain value from local taxation. He stated, that it was similar to the Bill which he had brought under the notice of the House on the same subject on a former occasion; but he had reason to hope for more success for it, or at least for a more candid and attentive consideration of its merits now than he had been then able to secure. He said this because all parties now admitted that the condition of the great mass of the people was not what it ought to be, and that the remedy for the evil ought not to be of a merely charitable nature, but that the Government ought, if possible, to devise some legislative means for improving the position of the labouring classes. There existed a great deficiency in the house-accommodation of the labouring population, not merely in the towns, but in the rural districts, and not merely in the quality of the habitations, but in their numbers. He might appeal in proof of this being the case to the reports of Committees of that House in recent years, to the reports of the Poor Law Commissioners, and of the Board of Health. He might appeal to the able letters that had appeared under the well-known signature of "S. G. O.," in the *Times*, describing the frightful condition of the peasantry of Dorsetshire, and he might also appeal to the reports which had appeared in the *Morning Chronicle* on the state of labour and the poor, in which the results of the inquiries instituted were most powerfully and practically set forward by very able and competent writers. They had in these letters accounts of the condition of the working classes in the manufacturing districts, in the metropolis, and in the rural districts of the country. Throughout all these, they had everywhere proofs of the suffering of the working classes arising from the imperfect nature of their house-accommodation, which became a source of the most frightful demoralisation, while it at the same time led to an increase of pauperism, of sickness, and of crime. He would not delay the time of the House by quoting from the reports which he had beside him; but he should content himself with reading a single extract from the evidence of Mr. Granville Pigot, assistant poor-law commissioner, before the Committee on Settlement of 1847. He stated that—

> "The inadequacy of cottages leads to evils of the most serious kind to the poor. I do not know anything from which the poor suffer so much, in every possible way, as regards their health and as regards their morals—comfort being wholly out of the question. The great destitution there is of cottages in many parts of England, if the Committee directed their attention to that subject, would be perfectly appalling to them. The medical officers of unions could give evidence upon that point, which, I think, would surprise the Committee. I have made inquiries upon that point, and it is my firm belief that in the southern counties of England, where the population is so rapidly increasing, at the rate of something like 200,000 a year, cottages are absolutely decreasing in number; certainly they are not increasing.
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> "Mr. Denison: Where do you suppose the increasing population to find dwellings?—They find dwellings where fever and vice and crime of every sort is generated. They find dwellings by huddling together in numbers of six, seven, and eight, in rooms scarcely sufficient for one or two; that is, where dwellings are found. The evil has already, in my opinion, reached its acme.
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> "Chairman: Is that evil more or less observable through all the districts of which you are assistant commissioner?—I think it is observable in all; in some more than others, unquestionably."

He by no means undervalued the efforts made by the Sanitary Commission to effect improvement; but good drainage, and ventilation, and a sufficient supply of water, were not sufficient while the inmates were so overcrowded together that they could scarcely breathe. The high duties on bricks and timber were a serious impediment to the extension of house-accommodation; and another great evil arose from the law of settlement. It was undeniable that the present law of settlement operated very generally and powerfully as an inducement to the owners and occupiers of land in small parishes to prevent the residence of poor persons within the parish. But that was too large a question to be dealt with by an individual Member. He trusted, however, that even in the course of the present Session the Government would introduce a measure to extend the area of rating and settlement from parishes at least to unions, so as to put an end to the strong motive to the clearance of parishes and the prevention of residence therein which that law at present made so general. His object, at present, was to endeavour to remove another impediment now existing to the supply of adequate dwellings to the poor, namely, the rates to which they were subjected for local objects. He proposed by his Bill to exempt from all local taxation the houses occupied by the poorer classes, under the belief that they would be relieved thereby to the same extent and in the same manner as they would be by the remission of any other tax equally oppressive. He believed that the tax upon the poor man's house pressed quite as severely upon him as the taxes upon his tea, coffee, sugar, soap, or other articles of consumption; and the removal of it would be as useful and important a boon to him as the removal of the duties upon those commodities. To a certain extent, the poor were exempted from rates even as the law stood at present. He had endeavoured to ascertain the number and proportion of houses which were at present excused under the Act of the 59th Geo. III. c. 170, which empowered justices, with consent of vestries, to excuse from rating poor persons whom they judged wholly unable from poverty to pay them. He found that it would be impossible to obtain the returns for the whole country without great trouble and delay. He had therefore contented himself with the returns of four counties, which would serve by way of example, they affording instances of the condition in this respect of the manufacturing, agricultural, and mixed districts. The counties were Lancashire, Gloucestershire, Suffolk, and Hampshire; and the proportion stood thus:—

Counties.	Total Number of Houses.	Number of Houses Excused from Payment of Poor-rates.	Proportion of Numbers.	Total value of Property rated.	Value of Excused Houses.	Proportion of Value Excused.
Lancashire......	340,070	49,577	Two-fifteenths, or less than One-seventh.	£6,463,000	£367,118	One-eighteenth.
Gloucestershire	67,874	14,855	Two-elevenths, or less than One-fifth.	1,872,097	35,694	One-twenty-ninth.
Suffolk	59,064	23,543	More than One-third.	1,407,413	49,230	One-twenty-eighth.
Hants............	59,765	21,535	More than One-third.	1,406,542	71,583	One-twentieth.
Total	526,773	109,510	Average about One-fifth excused, of houses in number.	11,150,000	£523,000	One twenty-first value excused.

Supposing, then, the same general proportion to prevail throughout England and Wales, the total of numbers at present excused from poor-rates would be one-fifth of the population; at least of the houses. The total value of excused houses would be 1-21 of 67,320,000*l.*, or about 3,300,000*l.* The total of annual local taxation being about twelve millions, the 21st part—which was excused—would be nearly 600,000*l.*; and if, as had been often proposed, Parliament were to place the amount of rate from which the poor occupiers were now excused, upon the owners of the cottages, this would be, in fact, a new tax of that vast amount, which, after a little time, by the check it would place on the supply of new houses, they would be enabled to place, by increase of rents, on the occupiers; in other words, on the poor, or the very poorest class next to the very paupers. But, the present system is a very bad one, and works injuriously, owing to the necessity of inquiring into the circumstances of every individual who is to be excused. To the magistrates and vestries it was a matter of considerable intricacy and difficulty to determine the parties who should be exempted from the payment of the rates. And much of it was the effect of favouritism. The poor people who claimed from poverty to be exempted, had to go before the overseers and churchwardens and state their case. If there were any dispute, they had then to go before the bench of magistrates; and when some who were refused exemption saw others quite as well off as they themselves excused in consequence of their having a friend in the vestry or upon the bench, it was a subject of great discontent and heartburning. Then, again, what must be the effect upon those who were too independent and spirited to lay before the overseers, churchwardens, or magistrates their poverty? They were made to pay a very heavy direct tax, for which their furniture and poor effects were very often distrained upon. He could quote many distressing cases of this kind. The House ought to consider well, and ponder deeply, upon the many grounds of discontent the present condition of the law in that respect gave rise to. The hon. Member for Hertfordshire was about to introduce a measure for placing the rate upon the owners of small tenements. To such a plan he (Mr. Scrope) was very much opposed. He thought it very objectionable. He had already stated that one effect of the imposition of those rates upon the owners, would be the causing them to lay an equivalent amount upon the rents. In other words, the poor, who were now exempted, would find the rates imposed upon them in the form of an increased rent. And the amount so imposed would be upwards of 500,000*l.*, nearly 600,000*l.* But there was another evil attendant upon such a plan. There was a feeling already existent amongst owners of land throughout the country against building habitations for the poor—they wished to keep down the number of cottages. The ratepayers disliked the builders of cottages, and thought them public enemies. He (Mr. Scrope) thought them public benefactors. [*Expressions of dissent.*] He most earnestly implored the House to give him a hearing. It was a most important question, affecting the social welfare and condition of the people. Depriving the poor of house-accommodation, was depriving them of that which was most essential to the improvement of their moral, physical, and social condition. The landed gentlemen sometimes built cottages for their tenantry, very pretty picturesque objects, but altogether insufficient for the proper accommodation of the increasing population. It was to those who built for purposes of profit that the poor must look for a sufficient supply, and they would be prevented from building if the payment of the rates were made compulsory upon them; for the necessity of adding the amount to the interest of their money expended in the building, would raise the rent so high that the poor would be unable to pay it. The population of the country was increasing at the rate of 1,000 a day, and increased house-room was required in proportion. But they had it upon the high authority of the Poor Law Commissioners that the house-room for the poor, so far from increasing proportionally, was, in many large districts, actually diminishing; and as the measure proposed by the hon. Member for Hertfordshire would have the effect of still further diminishing that supply, he implored the House not to adopt it, but rather to adopt the plan which he (Mr. Scrope) proposed, which, by removing the tax, would give an inducement to speculative builders to erect cottages for the poor. He asked the House not to blink the question. He was aware that the hon. Member for Shrewsbury, who had taken a benevolent interest in the condition of the poor, was of opinion that checks ought to be placed upon the erection of a number of houses intended for the accommodation of the poor, as he thought the effect was to increase the pauper population. He (Mr. Scrope) trusted that the House would discuss the matter fully, and then its bearings ought to be properly ascertained. He would ask, was not pauperism rather increased by the bad nature of the house-accommodation afforded to the poor, by the bad places into which they were squeezed, giving rise to immorality, dirt, and disease? Would it not be better to supply them with proper houses to live in, than to drive them into the dens of misery, filth, immorality, and unhealthiness, in which they were at present forced to live? The noble Lord the Member for Bath, who had so distinguished himself for his philanthropy, had lately stated that, it was not merely the imperfect character of the houses now built for the poor, but their deficiency in number, and the inadequate space they occupied, that was the great injury in a sanitary, moral, and economical point of view. The usual argument which the opponents of his plan used was this—that if the tax were taken off one-fourth of the houses, the other three-fourths would have to pay a higher rate in order to make up the difference. But he had already shown that about one-fifth were excused, as it was, whilst there was a degree of doubt and insecurity as to the exemption, which operately badly. In an article which had lately appeared in the *Times* newspaper, it was said that his plan would have the effect of pauperising nine-tenths of the population by removing the rates from the poor. But he begged them to recollect that neither Windsor Castle, nor any of the royal palaces, not even, he believed, the inmates in Hampton-court, were rated to the support of the poor. If, then, the inmates of royal palaces were exempt, why should they not exempt the very poorest of the people above the rank of mere paupers? That was all he asked. But, besides the royal palaces, there was a great deal of real and personal property likewise exempt. Neither funded property, plate, jewels, stock in trade, or farming stock, were liable to be rated. Why, then, should not the poor man's dwelling be exempted? But besides what he had mentioned, all woods producing timber, and all mines and minerals, were likewise exempted—and those were real property. If they exempted the rich man's woods and mines, why not the poor man's cottage? It was the only direct tax the poor were now called upon to pay. Would it not be better that they should at once draw a simple line, below which none should be rated? His plan would be, to exempt altogether from poor-rate and other local rates all dwelling-houses below the value of 5*l.* in the rural parishes and small towns; all below 8*l.* in towns above 10,000 and below 50,000 in population; and below 10*l.* in cities above that number. It would make the exemption also conditional on proper sanitary regulations being carried out on the certificate of the local officer of health. And he begged to observe that that proposal would exempt about the same proportion as, or rather less than, were already exempted actually in the town of Liverpool; for there were 32,000 houses out of 43,000 in the town exempted from rates. There had been a local Act passed in 1832 for Liverpool, the effect of which had been so greatly to pauperise the population, that the inhabitants assembled, and actually went to the expense of obtaining another Act of Parliament to repeal the former one, and enable them to exempt the number which he had just stated. There was one other argument used by those who opposed his proposition, which he should briefly notice. It was said that the payment of rates gave the poor a feeling of independence. He disbelieved and doubted the existence of the feeling. He thought it would be a much better mode of aiding their feeling of independence to give them decent places to live in, than to drive them to crowd into filthy cellars and wretched hovels by heavy taxes on their dwellings. He would ask the House also to pay some attention to the subject under its political aspect. No people could be otherwise than discontented and anxious for change, if no effort were made to ameliorate the crying physical evils of their condition—evils at the foundation of which, according to a celebrated French writer on such subjects, was the miserable state of the domestic accommodation afforded to the poor. He should conclude by moving for leave to bring in the Bill.

MR. W. FAGAN seconded the Motion.

MR. STAFFORD remarked, that as the hon. Gentleman had gone so fully into the details of the measure, and as it appeared to be in effect the same as that the House had decided against in former Sessions, he hoped the hon. Member would not attribute any want of courtesy to him if he proposed to take the division on the Bill at the present stage, which the hon. Member had selected as the opportunity for taking the discussion upon it. He believed there was no disposition, nor would it be wise, on the part of the House to lessen the amount of property on which the relief of the poor and other local burdens must fall. He also objected that the effect of the Bill would not be to relieve the occupier, but to put so much in addition in the shape of rent into the pockets of the owners of this description of property.

SIR G. GREY observed, that the hon. Gentleman the Member for Stroud had communicated to him his intention to ask for leave to introduce his Bill, which he (Sir G. Grey) was prepared to accede to; but after the course he had taken in raising the whole question at issue when stating the principle of the proposed measure, the House could not be better informed upon it than they were at present; and, although he had not proposed to oppose the introduction of the Bill, if it was pressed to a division now, he must vote against it. He quite agreed with the hon. Member in the importance of doing everything in their power to improve the dwellings of the poor. It was satisfactory to observe what had been done in the metropolis and most of the large towns in that direction. After the perusal of all the hon. Gentleman had written with so much ability on the subject, he was unable to arrive at the same conclusion, for he believed the hon. Gentleman's project offered a premium for the erection of a lower class of houses; and if the standard of rating was fixed at a high rent, a much larger amount of property would be exempted than would be at all desirable. The hon. Member, in writing of the mode in which the existing law worked, brought an argument of a convincing nature against his own Bill, for he declared that cases occurred where the owners of cottage property constituted a majority in the vestry, and carried an exemption from rates in their own favour. [MR. P. SCROPE: That's not general; it's only a particular case.] Believing the Bill would have a most prejudicial effect on the object of the hon. Gentleman, he must oppose the proposition now, as on every former occasion, and vote against it if it was forced to a division.

MR. SLANEY gave credit to the hon. Gentleman for his humane and benevolent intentions, but believed that, instead of improving the condition of the poor, and advancing their interests, his plan would tend rather to depreciate their condition. To pass this Bill, would, in his opinion, be to offer a bonus for the worst class of houses, and to stop that progress in improving the dwellings of the poor which was now in operation.

MR. P. SCROPE observed, that he had not intended to raise any argument at this stage of the measure, nor was he aware that he had said more than was necessary as a justification for its introduction: if, however, it was the pleasure of the House to reject the measure at once, he must submit, though he had not anticipated such an opposition. He was aware that in a House composed mainly of landowners and ratepayers, it was impossible that the feeling should not prevail, that to relieve the smaller houses from the rates, would increase the rate on the higher classes of houses. He knew that was the general feeling in the country, and that it was impossible to struggle against that feeling until the good sense of the public led them to take up the question; and hon. Members, with that desire with which they were generally actuated to improve the condition of the working classes, should bring themselves to think on the subject, and to consider also all the incidents of local taxation. They would then see that the rate of their houses was as certainly paid by the occupiers or consumers, as they might be called, as surely as the tax on tea, coffee, or any other commodity which the poor consumed, was paid by them; and that to relieve the poor from general or local taxation would be a great alleviation of these burdens, and give a stimulus to capitalists for the erection of good, comfortable, and wholesome houses.

Mr. V. SMITH remarked upon the course taken by the hon. Gentleman, who first made a Motion for which he only obtained a seconder from motives of civility, and then imputed an interested bias to the whole House, because the universal feeling was against his measure. The hon. Gentleman talked of the House coming round to his view of the subject. He (Mr. V. Smith) would only reply that a case harder than that of the hon. Gentleman had not been heard of since the famous complaint made by the man who bemoaned his hard fortune in having to deal, whenever he was on a jury, with eleven obstinate and impracticable men. The fact was, there never was a time when so much attention was paid to the condition of the dwellings of the poor. The Bill proposed would work the greatest injury, and would only raise the rents; for even now there were cases where the owners of cottage property having obtained exemption from rates, at once laid the amount on the rents.

Mr. HUME could state, from information he possessed, that there were individuals possessing property of this kind to a large extent who made a point of getting their cottages exempted from the rate, and laying the amount on the rent. Anything in the way of exemption had only led to abuse. He believed there was a general desire to improve the physical condition of the poor; and he knew of many who would gladly erect comfortable and wholesome cottages for their occupation, if they could be made to return, he would not say 5 or 4, but even 2 per cent. In this matter it was in the power of the Government to assist materially, by taking off the duty on bricks, which at present weighed very considerably against the erection of good cottages. If Government were really sincere in the desire to promote sanitary improvements, and the physical and moral welfare of the people—and he knew of nothing more conducive to immorality than the manner in which the poor were now herded together—they would not hesitate to abolish this duty. If the duty on bricks, and the remaining duty on timber were abolished, a cottage in the country districts which now cost 60*l.* might be erected for 40*l.*, and no man would refuse, when he could do it at such a cost, to provide good dwellings for his labourers.

Mr. BROTHERTON was also of opinion that this Bill would inflict great injustice. In Salford, there were more than 10,000 houses, 9,000 of which were under 10*l.* a year; to exempt these from the rates would be most unjust to the rest of the inhabitants.

Mr. P. SCROPE, seeing the feeling of the House, would not go to a division.

Motion made, and Question put, " That leave be given to bring in a Bill to exempt dwelling-houses, below a certain value, from local taxation."

Motion negatived.

POLISH, HUNGARIAN, AND ITALIAN REFUGEES.

Lord DUDLEY STUART said, he rose for the purpose of making the Motion of which he had given notice, on the subject of the recent negotiations relating to Hungary, and the events of the late Hungarian war. He believed he consulted the convenience of the House by seizing the earliest opportunity for bringing forward this subject, rather than by deferring it to a later period of the Session, when they would be too fully engaged with other business to be inclined to devote their time to matters of foreign policy. His object was to obtain information on the subjects which had excited the attention and the greatest degree of interest in this country and throughout Europe. The noble Lord the Secretary of State for Foreign Affairs had on a former occasion explained with great clearness the principles on which foreign affairs were managed under the English constitution; and he told the House that under this constitution the largest discretion was always granted to Her Majesty's advisers in the conduct of diplomatic negotiations, but, at the same time, that discretion was subject to the revision of Parliament, which revision could not be exercised unless Parliament was furnished with full and ample information; and the noble Lord added that the country was a good deal in the dark with regard to the transactions to which he was referring at the time. And he (Lord D. Stuart) also said that on the matters to which the papers he should now move for related, the House was at this moment in the same position. He wanted some light to be thrown on these transactions, and he contended that the country had a right to be informed as to the part our Government had taken in regard to them; for, as was said in the debate on the Address, the Speech from the Throne merely told the House that we were not at war. There was a paragraph in the Speech, it was true, which referred to some delicate transactions which had been settled without any infraction of our relations of peace with foreign Powers; but as to how they had been settled, no information whatever had been given. The House was aware that during the last year a war had been raging in Europe, which had excited in the minds of the people of this country perhaps more interest than any other war had done in which we ourselves had not been actually engaged as principals; and no wonder, for that war was carried on by a despotic Government, for the purpose of putting down a free people, and depriving them of a free constitution, very similar to our own, and which they had enjoyed as long as we had enjoyed ours. The kingdom of Hungary had never been conquered—it had always remained independent *de jure* and *de facto*, until it was put down last summer by the power and treachery of Russia. The monarchy was originally elective. Ferdinand I., the brother of the Emperor Charles V., was elected by the Diet in the year 1526. He took the oath to the constitution, as all his successors had done, except Joseph II., who was in consequence never crowned nor recognised as King of Hungary. Hungary and Austria had had nothing in common except their sovereign, and had never been more united than the kingdom of Hanover was with England. The hereditary prince in the German States —the Archduke of Austria—was not King of Hungary till consecrated at Presburg with the crown of St. Stephen on his brow. In 1670 the Crown was declared hereditary in the male descendants of the House of Hapsburg; in 1723 that arrangement was extended by the Pragmatic Sanction to females, and it was under that arrangement that the fidelity and generous devotion of the Hungarians secured to Maria Theresa not only the kingdom of Hungary but the other dominions of her father, in spite of a great European coalition. The heiress of the House of Hapsburg was known by the title of Queen of Hungary, that being the most important of the countries over which she ruled; and though her successors obtained the title of Emperor of Germany, and the title of King of Hungary became eclipsed under that more high-sounding appellation, it was Hungary which constituted the chief source of their power. The dignity of Emperor of Germany conferred but the shadow of power; and when the German empire fell to pieces at the beginning of this century, the modern title of Emperor of Austria was introduced, but he still derived his greatest power from his Hungarian dominions. Therefore, if we looked to power rather than titles, when that ancient ally we heard so much of was referred to, in reality what was meant was the King of Hungary, and not the Emperor of Austria. Joseph the Second attempted to overthrow the Hungarian constitution; but what happened in consequence? The Diet refused to recognise him, and exacted fresh guarantees from his successor, Leopold II., who declared that Hungary was free and independent, and not subject to any other people or State, but had a separate existence and constitution, and should be governed only by her own hereditary kings lawfully recognised, and by their own laws and customs, and not according to the rules of other provinces. In 1848, certain reforms were introduced in the constitution of Hungary, and laws passed the Diet for carrying them into effect. These passed both chambers, and received the royal assent, some of them being rather declaratory than new—such as the one which enacted that the Ministry of Hungary should be responsible to the Diet. There were other laws whereby civil and political equality was established, without distinction of language or creed. The privilege of exemption from direct taxation, heretofore enjoyed by the nobles, was taken away, and participation in public imposts was extended to all Hungarians. The labour rent also was not only done away with, but the lands held by that tenure were given up to the peasants, who received them as their own property, compensation being guaranteed to the landlords; and the suffrage, formerly confined to the nobility, was extended in the counties to all persons possessed of real or personal property to the value of 30*l.*, and in towns to all persons whose income amounted to 10*l.* per annum, to the holders of diplomas, and workmen having apprentices. These reforms, regularly voted by the House of Commons, were sent up to the House of Lords, and passed; and they received the royal assent from the sovereign on the 11th of April, 1848. But though the Hungarians were carrying out these measures of reform, and were acting strictly according to the spirit and letter of their constitution, that did not protect them from the illegal, and unconstitutional, and violent acts of the Emperor of Austria. Croatia had been united to Hungary for eight centuries longer than England has been united to Wales, by a most intimate union. But some disputes arose between the two countries, chiefly, perhaps solely, in consequence of a measure of the Diet which introduced the use of the Magyar language instead of the Latin in the Parliamentary debates of the House of Commons. The Court of Vienna took pains to exasperate these differences. It appointed Joseph Jellachich, the colonel of a Croatian regiment, Governor or Ban of Croatia; but as his appointment was not countersigned by a Minister, it was not a legal one. Nevertheless the Hungarians did not make objection, and he was invited to take the necessary steps on entering upon his rule. One of his first acts, however, was to forbid communication with the Hungarian Ministry, and to proclaim martial law against all persons who should refer to the connexion between Hungary and Croatia. The Ministry called upon him to withdraw this threat; and the ultimate result was, that a commission was despatched to investigate his conduct. It was then that Jellachich threw off the mask, and declared the nature of the policy he intended to pursue. It had been repeatedly said in this country that Kossuth was a repealer; but, judging by the acts of the man, the real repealer in Hungary was Jellachich; for, unlike Kossuth, who proceeded constitutionally, and supported the rights of the sovereign of Hungary until he made war against the country, Jellachich pushed his measures with force and violence, and endeavoured to separate Croatia from the Hungarian crown. In June, he convoked, contrary to law, a general assembly of Croatia, for the 29th. The Emperor Ferdinand put his veto upon the proceeding. At the conference with the Hungarian Ministers, to which he was summoned, Jellachich did not appear, and by a subsequent ordinance he was suspended from his office. There was a powerful party in Croatia, however, who published a protest, declaring that they desired to remain, as they had always been, united with the kingdom of Hungary. At the same time, the Serbs, inhabiting the north banks of the Danube, became disaffected; and although they had only within a few years settled in the country in any numbers, they now demanded a separate government. The Austrian Government fomented the disaffection of the Serbs, and also of the Wallachian peasantry who are found in the south of Transylvania, and are an extremely wild and uncivilised people. They were armed by the Austrian authorities, and incited against the upper classes; and the horrors they committed surpassed, probably, anything that had been known in history. He held in his hand a book written by a Hungarian lady, Madame Pulszky, who was in that country at the time, and who was now in England —a book which gave a most interesting account of those transactions, and was about to be published. He had been favoured with a sight and loan of it previous to its publication, and he would read a short passage having reference to the atrocities committed by the Austrian Government at that time:—

> "The sad consequences of this plot manifested themselves everywhere, but nowhere more dreadfully than in the remote mountain districts of Zalatuya.
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> "The civil officers of these parts were suddenly surrounded by wildly fanatical Wallachs, arms in hand. In this state of things, above 1,200 faithful servants of their Sovereign assembled. They were of all ranks, from the highest to the lowest, old and young, accompanied by their wives and children. All joined in the purpose to proceed together to the town of Enyed, at several hours' distance from Zalatuya, to be sheltered from the wild hordes, which were ready to attack every one who chanced not to be Wallach, and who wore another than a peasant's coat. It was yet at some distance from Zalatuya, when the officers were overtaken by a great troop of armed Wallachs. Not willing to oppose those who pretended to be acting in the name of the monarch, a negotiation was entered upon. Its result was, that the emigrants agreed to deliver up their swords and muskets, under condition that they should not be prevented from freely proceeding to Enyed. Before the disarming was completed, the evening had come on.
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> "Several carriages were laden with the arms, and they waited for dawn to continue their journey. In the night, the Wallachs sent a messenger to the commander, who was an Austrian officer, at Zalatuya, to inquire 'what they should do

with their prisoners.' The messenger returned with the laconic reply, 'Put the wretches to death.'

"When the peremptory order of murder arrived, the riotous people itself was thunderstruck, and for a long while no one attempted to break the pledge of a free passage. Both parties hesitated for some instants to take any decided step; at last the disarmed set themselves in motion. Slowly the procession advanced, until some circumstance, which has never been precisely ascertained, was considered by the Wallachs a signal to attack.

"Now followed a horrifying scene. One part of the disarmed were cudgelled to death, others pierced through with pointed mountain-sticks. Some hanged on trees were mangled with hayforks; others thrown into pits were buried under blocks rolled down upon them. Women and maidens were mutilated and murdered in the most dreadful manner.

"The slaughter lasted long. Rainbold, a German, the inspector of Zalatuya, to whom clung his wife and two grown-up daughters, not seeing any possibility of averting their dreadful fate, drew out his double pistol, which, more distrustful than his companions, he had retained, shot down first his two daughters, loaded again, shot his wife, and lastly killed himself. The haste and the excitement, in which he achieved this awful deed, rendered his hand uncertain, his mutilated wife survived this horrible catastrophe, and related it. Of 1,200 persons, about 110 remained wounded amongst the bodies of their comrades. Of these survivors, about 70 or 80, most of them women, one, the wife of the judge Császár, bleeding from countless wounds, dragged themselves before the gates of the fortress of Gyula Jehárvár (Karlsburgh). But the commander of this place, which was occupied by Austrian troops, drove the exhausted victims, with blows, from the gates, where, after having been refused entrance, they sunk powerless to the ground.

"These horrors never were punished by the Austrians, and when some months later, Puchner was driven from Transylvania by General Bem, and Csanyi, as Hungarian commissary, sentenced several of the instigators and perpetrators of the above-mentioned bloodshed to be hanged, the correspondents of the Austrian party filled the papers of foreign countries which declamations on Hungarian terrorism."

While a deputation sent by the Diet, to complain of these atrocities, and demand that measures for the defence of the kingdom should receive the royal assent, was at Vienna, the King sent a letter, dated the 31st of August, which stated that the law of 1838, by which a responsible Ministry had been granted to Hungary, was contrary to the Pragmatic Sanction, and detrimental to the interests of Hungary and Austria; and then it was announced that the King was determined to abrogate the laws, and subject every one in Hungary to the central power of Vienna. Here was the cause of quarrel. Austria was determined that the laws based upon the constitution should not be carried into effect; Hungary was determined to have those laws acted upon. It was exactly the same sort of quarrel which we had had in this country, and which led to our civil wars. In both countries the King was determined to rule by prerogative, and in both countries the people were determined to be governed only with the consent of parliament. It could not be said that the Emperor was coerced by the Hungarians into sanctioning the reforms of 1848, for he came of his own free will to Presburg, and granted his assent. That was the first occasion. The laws passed might not be favourable to the House of Hapsburg; but why then was the royal assent given to them? On the second occasion that this assent was given, the King was not in Hungary but at Vienna, when he commissioned his viceroy to deliver a speech on his behalf, in which he declared his determination to observe the laws which he had sanctioned. As to the pretence of the laws being contrary to the Pragmatic Sanction, there never was one so void of foundation. The Pragmatic Sanction only regulated the order of succession. It was an act of settlement, and nothing more; and the order of succession at the time that pretext was taken, had not been in the slightest degree interfered with. It was not interfered with until long after that: not until one emperor had abdicated, not until after his brother had renounced his claim to the throne, not until after the next in succession had put forward claims with the avowed intention of abrogating laws without the consent of Parliament; not until after the Russians had with his approbation invaded Hungary: not until after the constitution of the 4th of March had been proclaimed, which swept away all the rights and institutions of the kingdom—it was not until after all these things that the throne was declared vacant. But supposing these laws were opposed to the Pragmatic Sanction, what force had it in Hungary, except as a law adopted by the Diet? None at all. It was necessary it should have the sanction of the Diet before it could have any validity in Hungary: and the three estates of the realm which adopted it, had a perfect right either to abrogate it altogether, or to introduce other laws partially to modify it, or to pass laws which, like those they did pass, had no effect upon it. The pretence that the reform carried by the Diet was contrary to the Pragmatic Sanction, was just as if King William IV., after having given the royal assent to the Reform Bill, should have tried to set aside that law, on the plea that it was contrary to the Act of Settlement. No sooner had the Emperor announced his intention of departing from his royal word, than it became evident that a conspiracy had been formed against the constitution of Hungary. Jellachich, who had been formally deprived of power, was, nevertheless, allowed to hold it. After the resignation of the Hungarian Ministry, consequent upon the decree of the King, and the revolt in the provinces, Count Louis Batthyani was commissioned to form a new administration. In the meantime Jellachich crossed the Danube at three different points, with regular Croat troops, aided by Austrian regiments. The Hungarians, in the absence of any regulated ministry, and in consequent confusion, were unable to oppose any considerable force; and the consequence was, that the Croats advanced into the heart of the country, pillaging and plundering as they went. The Diet then offered the command of the army to the Archduke Stephen in his capacity of viceroy; he accepted it, and joined the army, but after having endeavoured in vain to effect arrangements between the opposing forces, he left the camp and returned through Pesth to Vienna, where he tendered his resignation, which was accepted. On the 25th of September a royal ordinance, which had not been countersigned, placed all the Hungarian troops under Count Lamberg; but the Diet declared the appointment of the Count illegal, and required the counter signature. Lamberg braved the decree, and was proceeding towards the citadel of Buda, to take possession, as it was supposed, in the name of the Austrian Government, when he was met on the bridge by a crowd, dragged from the carriage in which he was seated, and murdered. A great handle had been made against the Hungarians of this event, and most deplorable it was. But acts of this nature perpetrated by mobs were not the acts by which a country could be fairly judged, and they affixed no stain to any nation, unless indeed it appeared that that nation had manifested indifference to the crime. The Hungarian Diet, however, had passed a resolution expressive of horror at what had occurred, and they directed measures to be taken to bring the criminals to justice. A battle was soon afterwards fought, Jellachich was beaten, an armistice was signed, but he took to flight, and before long the King placed the country in a state of siege, and the whole military force under the command of Jellachich. The Diet, persuaded that the King had no right to abolish the constitution, declared the royal ordinance in favour of Jellachich null and void, and proclaimed him and all who aided him to be traitors. Jellachich continued his retreat towards Vienna, and threatened that city; then Count Latour, the Minister of War in Vienna, who had denied all complicity with the proceedings of Jellachich, was discovered to be secretly in correspondence with him, and to have abetted him in his designs: the enraged populace of Vienna seized upon Count Latour, and put him to death. With the acts of the people of Vienna, the Hungarians had nothing to do, although the Austrian Government had circulated a report that Count Louis Batthyani was implicated in this murder. They failed, however, in bringing any proofs to justify such an accusation, and it had in fact been made merely in order to justify a murder still more atrocious than that of Count Latour, the murder of Count Louis Batthyani himself—a murder more atrocious because it was the murder of an innocent man. He suffered death on the anniversary of the murder of Count Latour, the Austrian Government thereby insinuating against him what they dared not openly charge him with—a participation in the death of Count Latour. The Austrian Government knew that imputation to be false, and the sentence upon Count Louis Batthyani did not contain one word of accusation against him upon this account. The Hungarians had hesitated to advance against Vienna, but at last they did advance, when it was too late, and they fought a battle, the only one they waged on soil which was not Hungarian. General Bem, who took the command in December of 8,000 men, had by the middle of March cleared the province of Transylvania of the Austrians, and had forced the Russians who came to their assistance to fly into the Turkish territory with great loss. The Hungarians who had been driven from Pesth, rallied on the line of the Theiss, and having beaten Windischgratz, Weldon, and other generals, drove the Austrians to the very frontier of their country. In the mean time the Austrian Camarilla had adopted certain measures of importance. The Emperor Ferdinand was induced or forced to abandon his crown, and his brother's son, the Emperor Francis Joseph, a youth of 18, ascended the throne of

Austria. On the 4th of March the new constitution drawn up by Count Stadion and the celebrated democrat Dr. Bach was published, which abolished all the laws, customs, and institutions of all the nations placed under the Austrian Government, however ancient, however useful, however suited to the wants of the people in which they were established. A vicious form of government was introduced, the object of which was to throw all the power into the hands of the bureaucracy at Vienna. The Austrian constitution of the 4th of March, was a measure more sweeping and more revolutionary than the violent changes which had been introduced by the Constituent Assembly of France during the first Revolution. If the Hungarians had been the frantic revolutionists their enemies wished to represent them, they might have been content with this constitution; but they, like us, being attached to an ancient constitution which they had enjoyed for centuries—they, like us, being anxious to adapt their constitution to the times in which they lived, and to make it of practical utility—being anxious to advance safely and gradually, and being reformers and not revolutionists, could not be content with such a constitution as that; and, above all, they, like us, could not accept a constitution, which, not agreed to by all the different orders of the State, was only granted as a favour by the Austrians, and, being so granted, might the next day be withdrawn. When the Diet saw their legitimate Sovereign deposed, they adopted the precedent set them by the Lords and Commons of England, and declared the throne vacant, and that the line of Hapsburg should be for ever excluded. It had been repeatedly declared by the Austrians that the Hungarians had proclaimed a Republic. They had done no such thing. The tendency of the Hungarian people had always been monarchical. The "Governor President," which was the title given to Kossuth, was one known to the constitutional history of Hungary; and the Hungarians would have been very willing to receive any prince as their king who in his turn would have been willing to give them guarantees that he would adhere to the spirit of their constitution. In fact, the Hungarians had all but succeeded in their wishes; the Austrian troops were beaten until they held only a narrow strip in one part of the country, and then Prince Schwartzenburg adopted the suicidal policy of calling in the Russians. Not even the talents of the Hungarian generals, Klapka, Aulich, and Perczet, assisted by the intrepid daring of Bem, the experienced valour of Dembinski, and the ardent courage of our own countryman, Guyon, could prevail against the numbers of the Russians, aided by the broken forces of Austria, but still more effectively seconded by the fatal treachery of Görgey. The influence of this intervention would be most pernicious. The constitution of Hungary was no modern experiment. It had been rooted in the affections and habits of the people. If it had been permitted to flourish, its example would have extended to other countries. Free trade would have been established, the Austrian prohibitory tariff would have been done away with, and a large market opened to England—all of which facts would be made manifest if one of the papers he should move for were laid on the table, as he hoped it would be. Besides this, Hungary had been the most efficient barrier against Russia on the side of Turkey; but such was the detestation with which the conduct of the Austrians had inspired the Hungarians, that they would much prefer the rule of that Power which they had hitherto regarded with horror, to a continuance of the Austrian rule. He had always regarded the interference of Russia in the affairs of Hungary as a violation of the law of nations. It was an interference with the internal affairs of an independent country, with which Russia had nothing to do; and the pretext advanced by the Czar in excuse for his interference, that a large number of his subjects were serving in the Hungarian army, was entirely without foundation, for there were not 4,000 Poles in that army altogether, and of these only a few hundreds were from Russian Poland—the rest came from the neighbouring province of Gallicia. The Emperor of Russia had not even a shadow of right to interfere, because the Emperor of Austria, who had sent for Russian troops to invade Hungary, was not the King of Hungary either *de jure* or *de facto* at the time that demand was made. He was not king *de jure* for the constitutional reasons he (Lord D. Stuart) had given, and he was not king *de facto*, because the bravery of the Hungarians had driven his army out of the country. He should also move for papers with respect to the occupation by Russia of the Danubian provinces of Wallachia and Moldavia. This occupancy was a violation of the law of nations, and of the independence of Turkey. Russia not only induced

Turkey to forego certain reforms which she wished to introduce, but prevailed on the Turkish Government to sign what was called the Convention of Balta Liman, by which it was stipulated that neither Power should have more than 10,000 troops in the Wallachian and Moldavian provinces. She had not adhered, however, even to her own convention signed on the 1st of May last, but had still a much larger army in the principalities. Now, one of the papers which he should move for was a circular addressed by Count Nesselrode to the various ambassadors of Russia when this occupation of the Danubian provinces took place. He would read an extract from it, which he was enabled to do, the noble Lord having read an extract from it last Session. This circular stated that

> —"from the moment that in Moldavia and Wallachia law shall have been established and guaranteed, the troops shall be withdrawn from them, to go and occupy immediately the strictly defensive position which they occupied before."

Now, he would ask the noble Lord whether he believed he had not a sufficient guarantee for the future peace of these provinces? The noble Lord knew full well that the Porte was most anxious to have these troops withdrawn, and that the Convention of Balta Liman should be carried out. How was it possible, that with such a declaration as this, so stringent, so precise—how could it be believed—that Russia still maintained in that country an army of not less than 46,000 men? He had communications from that country to a late period, and he was able to state that there was at least that number of Russians stationed there. Now, the noble Lord at the head of the Foreign Department, in reply to some observations which fell from his hon. Friend the Member for Youghal a few nights ago, stated his belief and conviction that those Russian troops would soon be withdrawn. He hoped his noble Friend would excuse him if he was not altogether satisfied with that assurance on his part, and that he was not altogether persuaded of the good intentions of the Russians. He remembered his noble Friend, in the debate to which he had just referred, said of course it was open to say, if a Minister stated his belief that such and such things were likely to happen, it was open to any Member, if he pleased, to say that he did not partake of that opinion. But in stating that he could not altogether partake of the noble Lord's opinion, he would tell the House why he dissented from it. The noble Lord would recollect that when these troops first entered Moldavia, he called his attention to the subject. The noble Lord then said, that they had entered without being authorised by the Russian Government. But whether authorised or not, they remained. When he again spoke to him on the subject, his answer was that they were in Moldavia, but that they would not enter Wallachia. They did enter Wallachia. Then he thought they would withdraw very soon, but a year and three quarters had elapsed and they had not withdrawn. And the noble Lord said this was only a question of time, and thought that an answer. He should like to ask him if he had a troop of soldiers quartered in his house, living, with their horses, at his expense, what he would say if he complained of it, and his friend replied, "Never mind, my good fellow, it is only a question of time." What would he think of that if he had to pay the weekly bills? That was exactly the case in Moldavia and Wallachia, because the Government did not maintain the troops; but the inhabitants were obliged to maintain them. Those troops were probably there to carry on the designs of Russia against Hungary last year, and against Turkey this year. He thought his noble Friend, in the supposititious case he had put, would feel himself aggrieved, and would take the first opportunity of driving the intruders out of his domain. And this, no doubt, Turkey would do, if she had it in her power. This tyranny ought not to be allowed. If his noble Friend had made an energetic protest against it in the first instance, it was his confident belief that the troops which entered these provinces unauthorised—that was a convenient mode for Russia to feel her way—would never have been authorised to remain, and the catastrophe in Hungary would, in all probability, have been avoided. Not only in England, but all over Europe, the people were enthusiastic in their wish for the success of the Hungarian cause; and the noble contagion even stretched across the Atlantic, where they heard of honour done to the Hungarians by the first magistrate of the land, and where resolutions, he believed, were at this moment under discussion for suspending all intercourse with the Austrian Government in consequence of its treatment of the Hungarians. If the noble Lord, when this encroachment was first made, had set his face against it, it was his conviction that Russia would have backed out of it. He could not help feeling sorry the other evening on hearing his noble Friend say, that allowances ought to be made for Russia. He (Lord D. Stuart) did not like these allowances, which were always made for the strong and powerful. He would rather see allowances made for the weak, over whom generosity should extend a shield. He hoped his noble Friend would this evening take an opportunity of explaining what the circumstances were for which he would make allowances. He thought that a subject more important could not be pressed upon the attention of his noble Friend. He was well aware that it had not, when first he brought it forward, rivetted the attention of the country; and he thought that was a reason, perhaps, why his noble Friend did not employ more energetic measures at the time than he did. But the country was now roused upon the subject. It was determined to maintain the integrity of the Ottoman empire. Every Government in succession had declared that, as well the Government of the Duke of Wellington, and of the right hon. Member for Tamworth, as that of his noble Friend; and even the Protectionist Government, whose advent they had been led to expect, would, he presumed, follow the same course; for, on a former occasion, the hon. Member for Buckinghamshire had in strong, and, he must say, in very eloquent and forcible terms, recorded his conviction that it is the interest of this country and of Europe to follow that course. Now, in arguing this matter, he would not be supposed to be an advocate of war. He believed that in the present instance war was altogether unnecessary. A great deal had been said about Russophobia, and he was considered to be affected with that malady. He would tell them how far he was a Russophobist. He was quite convinced that when this country spoke in earnest to Russia, and told her that she would not have certain things done, that the voice of this country would be obeyed, and that she would have no occasion to make it heard by the roar of cannon. He knew that it was a perfect farce to talk of Russia resisting the power of this country for a single day. At the same time, he was so far infected with Russophobia, that he was not disposed to take such a course as would turn that weakness into an overpowering might. He was not disposed to allow Russia to possess the most fertile portion of the globe, nor the first maritime station; because, if that were done, she would no longer be weak—she would no longer be obliged to come into such measures as this country should approve, but she would have made a great stride towards universal empire. She would threaten our Indian empire and our commerce, and then force us into a war, of which there was now no danger, nor was there any occasion for it. Russia would not abandon her cautious policy for the sake of her designs of national aggrandisement; but though she was patient in her designs, and wished to aggrandise herself, not by conquest but by insidious means, still whenever there was a question of putting liberty down, all her self-possession seemed to abandon her; then she no longer acted by slow and measured means, but came forward directly and impetuously, in order to destroy all really sound and wholesome reforms, wherever she found them. What occasioned the last partition of Poland in 1791 but the introduction of reforms? In 1829 why did she interfere with Turkey? Because she found that Turkey was engaged in effecting reforms. In 1848 she interfered with Wallachia from the same cause, and in 1849 she interfered with Hungary because that country preferred the most legitimate of all claims—to be governed by the constitution they had for ages enjoyed. But the Czar had received a check which he had not experienced for a long time. They would remember the claim that he made for the extradition of the refugees from Hungary. He was before triumphant; he had everything his own way. His armies had carried all before them, by their numbers, or the treachery of their enemies: at any rate he was successful; he had stamped out liberty in Hungary; he had obtained a footing in the Danubian provinces, and everything smiled upon him. But when he came to demand the extradition of these brave but unfortunate refugees from Hungary, in order that he might slake his thirst for vengeance upon them, then he found a noble Sultan on the throne of Turkey, who magnanimously opposed, and said 'No' to his nefarious demand. The Emperor demanded these refugees that he might put them to death. His ambassador, in an insolent tone, claimed them from the Sultan. It was even said that Prince Radzivil had the audacity to appear in the presence of the Sultan without uncovering his head. The language employed was most offensive, and, though it was said that the Russian ambassadors exceeded their instructions, he had some reason to believe that that was not the case, but that they were ordered to employ almost the very language that they did. The Emperor of Russia was determined to succeed, and to use his utmost influence for that purpose. But all that influence was exerted in vain, because the Sultan was supported by this country. The honour of the Sultan and the honour of the British Minister prevented so foul a deed from disgracing Europe. When the Czar could not get what he wanted because there was a British fleet in the Levant (for that was the only reason), he said he should be contented with a minor success. Though he (Lord D. Stuart) had spoken in strong terms of his satisfaction that Kossuth and those noble men were not given up to the fury of the Emperor of Russia, he could not say that he was satisfied with the result of the negotiation. He was not convinced that the fleet at the Dardanelles obtained all that it ought to have obtained, or that all had been accomplished by the British Government which might have been accomplished. He did not think that the people of this country would be satisfied when they found that although the Hungarians and the Poles were not given up, still that the Poles were expelled from Turkey, and most likely would arrive here before long in a state of indigence, and that Kossuth and his brave companions were to be kept in prison for a considerable time. The people of this country would not be pleased to find that the Emperor of Austria had, in this at least, had his way, because he had no doubt the aim of the Austrian Government was to prevent these men from coming to this country, because it dreaded the effect their presence would have upon public opinion. He must say that he thought the noble Lord ought to produce to this House all the information that he (Lord D. Stuart) had asked for with regard to this transaction. This transaction, at least so far as the refugees were concerned, the Speech from the Throne said had terminated satisfactorily, but they wanted to know what had been done. The House had a right to know what had been done in this matter, that they might exercise that supervision over the acts of the Government which the noble Lord on a former occasion said it was its right and duty to do. His noble Friend would do right by the country in so doing; and give him (Lord D. Stuart) leave to say it was exceedingly desirable for his own character as a Minister, and in order that he might stand right with the people of this country, and continue to have that good opinion which, he was happy to say, he had for a long period enjoyed. It was necessary for this purpose that he should furnish the House with all the information demanded. He the more confidently called on the noble Lord to give all the information he could, as he had been, in former times, extremely energetic in getting other Governments to produce information for the guidance of the House, and as he had made a boast that the Government to which he belonged was always extremely ready to furnish such papers as might be required.

Motion made, and Question proposed—

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions, that there be laid before this House, Copies or Extracts of any Correspondence between the British Government and the Ambassies at Constantinople, St. Petersburg, and Vienna, respecting the demands of Russia and Austria for the extradition of Polish, Hungarian, and Italian refugees."

Mr. C. ANSTEY seconded the Motion.

Viscount PALMERSTON: Sir, my noble Friend has travelled over so wide a field, that I am persuaded the House will not expect I should follow him in detail through all those various important transactions to which his speech has related. I can assure my noble Friend that it is the wish of Her Majesty's Government to give all the information upon those transactions which it may be consistent with the public interest, and consistent with those courtesies that are due between Governments and countries, to afford. The Motion with which he has concluded embraces so large a mass of correspondence, comprising not only all the confidential communications of Her Majesty's Government to our Ambassadors and Ministers abroad, but also communications between other Governments, of which knowledge may have been given to the Government of Her Majesty, that I trust my noble Friend and the House will think I am not asking too much of their forbearance if I entreat them not to press the Motion in the words in which my noble Friend has put it, but to allow me to select out of that great mass of papers such documents as may explain to the House the course which Her Majesty's Government has pursued, without giving details which would be inconvenient to the public service, or laying before the House those confidential communications that may have passed between Her Majesty's Government and Her Ministers abroad, or between them and the Ministers of other countries. With regard to the war in Hungary, I had an opportunity last Session of stating the views which I entertain of that great question. I can only say, that those feelings and opinions which I know are entertained upon that matter by the great majority of the people of this country, are opinions and feelings which have done great credit to the country, and which, I trust, I might almost say I know, no Englishman will differ from in any respect whatever. At the same time, I am sure the House will feel, that in a matter in which England had no direct right to interfere, the functions of the British Government with regard to the direction of events must be necessarily extremely limited. Therefore, however strong may be the interest which the Government of England, as representing the public opinion of this country, might take in those events, the House will naturally suppose that the active interference of the British Government must necessarily have been restricted within limits perhaps far more narrow than those to which their feelings might wish them to extend. With regard to the principalities of Wallachia and Moldavia, my noble Friend and myself have discussed that question before. The House is aware that Russia does stand, in regard to those principalities, upon a footing different from that upon which the Government of one country usually stands in respect to provinces belonging to another country. There was concluded in the course of last year an arrangement—it was not a treaty, it was an exchange of notes, standing in the shape of a convention—by which the two Governments of Russia and Turkey engaged that the forces of Russia and Turkey in those provinces should, after a certain period, be reduced to the amount of 10,000 men. My noble Friend is correct in stating that the Turkish Government has carried that engagement into effect, and that the Russian Government has not hitherto done so. I stated on a former evening that I believed, and it is my conviction, that the Russian Government is about to carry that engagement into execution. My noble Friend, perhaps, does not partake of my conviction. I can only say, that the information we have received very lately, leads me to think that the Turkish Ambassador recently sent to St. Petersburgh has received an assurance to that effect from the Government of Russia, and that the amount of the Russian troops in those provinces will very speedily be reduced to 10,000 men. I can assure my noble Friend that I fully agree with him as to the severe pressure which the presence of those troops must occasion to the inhabitants of those principalities. It is perfectly evident that the obligation under which they have been laid for supporting and providing for so large a body, must have imposed upon them sacrifices and privations of a very painful and extensive character. With regard to that more important transaction connected with the demand for the refugees, that which took place between the Governments of England and France on the one hand, and the Governments of Russia and Austria and the Government of Turkey on the other, is generally so well known that little remains for me to state which is not already within the cognisance of the public at large. I shall be perfectly ready to give such papers as will show the course we pursued on that occasion. It is well known, that after the termination of the war in Hungary a very considerable number of persons, Hungarians, Poles, and some Italians, took refuge in the Turkish provinces. A demand was made by the Governments of Austria and Russia on Turkey for the surrender of such of those individuals as were Austrian or Russian subjects. That demand was founded upon the Treaty of Kaimardji with regard to Russia, and upon the Treaty of Belgrade in regard to Austria. The Sultan, feeling that the obligations of hospitality, which are considered even more paramount, if possible, in the East than in any other part of the world, precluded him from complying with that demand; and looking at the terms of the Treaty of Kaimardji, and seeing that he had clearly an alternative, and that the engagement contracted by that treaty permitted him to choose that alternative, he refused to comply with the demand made by Russia of surrendering those individuals, but stated that he was ready to fulfil the other condition of the treaty, namely, that of expelling other individuals, chiefly Poles, from his territory. With regard to the demand of Austria, it certainly did not appear, by the Treaty of Belgrade, that there was any condition which required the Sultan to surrender Austrian subjects who might have sought refuge within his territories; with regard to Austria's demand, therefore, he was still more at liberty to refuse compliance, than he was with respect to the demand made by Russia. The manner in which those demands were made at Constantinople, by the organs of the Russian and Austrian Governments, excited alarm in the Government of Turkey as to the consequences which might follow from a refusal to comply with those demands, even though the Government of Turkey felt that they were not by treaty compelled or liable to comply with them. In that state of things, the Turkish Government turned its eyes to those friendly Powers to whom it might look for support, and an appeal was made to the Government of England, and also to the Government of France, for their friendly support in the critical circumstances in which Turkey might find itself. Her Majesty's Government, acting, as I think they did, in strict unison with the universal feeling of the country as it was manifested on that occasion, determined to give the Sultan the support which he had asked. Friendly representations were made to the Government of Austria and the Government of Russia, explaining the grounds upon which it appeared to Her Majesty's Government that the Sultan was not bound to comply with the demands which had been made. It is but due, however, to the Russian Government to state, that the Sultan having sent a special ambassador to St. Petersburgh, for the purpose of requesting the Emperor to desist from the demand which he had made, and to accept the other alternative of the treaty—it is but due, I say, to Russia to state, that the day before our friendly representation reached St. Petersburgh, the Russian Government had made a communication to the Turkish ambassador, stating that Russia no longer insisted on demanding a surrender of the Poles, but consented to the alternative for their expulsion. There followed upon that, however, a long negotiation with regard to detailed conditions which were proposed on the one side, and objected to, in a certain degree, on the other. Those negotiations ended at last in an arrangement between the Turkish Government and the Emperor of Russia, by which the Turkish Government agreed to expel, as by treaty it was bound to do, the Polish refugees from the Turkish territories. With regard to Austria, the Turkish Government undertook to remove the Hungarians—not to put them in prison, as my noble Friend has stated—[Lord D. STUART: To detain them]—but to remove them to a distance from the Austrian territories, and there detain them under that description of observation of which, happily, no English word conveys the meaning—under *surveillance* for a certain limited time. The diplomatic relations between Russia and Turkey have been re-established. Diplomatic relations between Austria and Turkey were not actually re-established, but there was every reason to suppose they would be within a few days after the last despatches came away. During the negotiations which took place at Constantinople, the most perfect harmony and co-operation existed between Her Majesty's Ambassador and the Ambassador of the Republic of France; and no doubt it was greatly owing to the friendly offices of those diplomatic representatives that those questions, involving great difficulty and complications of various kinds, were brought to a successful issue; and I am bound to say, that it is impossible for any man to have acquitted himself in such difficult circumstances, and in the execution of such an arduous duty, with more ability, more judgment, and more discretion, than Sir Stratford Canning had done in the task which it had fallen to his lot to perform. My noble Friend has expressed an opinion in respect to the arrangement that has been made, and has declared that that arrangement is not altogether satisfactory to his wishes and views. I am free to confess that if it had been a matter depending solely upon the will and decision of Her Majesty's Government, there are many circumstances connected with that arrangement that we should have wished to be different from what they turn out to be. But there were treaties to be observed—there were offers which had been spontaneously made—engagements which had been voluntarily offered, and which could not altogether be retracted; and acting under the circumstances as they stood, and bearing in mind that although it was desirable to support the Turkish Government in resisting the demands which it would have been unfitting for that Government to comply with; yet, on the other hand, we should have been acting an unfriendly part if we had urged that Government to place itself, without necessity, in the perilous position of a rupture with its two great and powerful neighbours. Considering, on the one hand, the difficulties from which it was desirable to extricate the Turkish Government, and, on the other hand, considering the concessions which the Turkish Government ought not to be compelled to make, I believe the arrangement such as has been made is the best which, under all the circumstances of the case, it was possible Her Majesty's Government could see accomplished. None of the refuges have been given up. The Polish part of them are free to depart to other portions of Europe, where they will be in a state of complete liberty; and those Hungarians who are for a time detained in the Turkish territory, I hope will not be detained there long. At all events, I am quite satisfied that the Turkish Government, from its generous feelings and from its sense of the duties of hospitality, will take care that while they are within its territories every attention will be paid to them which is consistent with their unfortunate position, and with the eminent qualities by which they are distinguished. In conclusion, I beg to express a hope that my noble Friend will consent to accept the offer I have made to him, and allow me to submit to the House such portions of the papers he has moved for as can be laid upon the table without being injurious to the public interest. I trust the House will believe me when I say that there are substantial reasons why it is not in my power to accede to the Motion in the form in which it has been moved by my noble Friend.

MR. C. ANSTEY saw no reason, after what had occurred, to alter the opinion he had expressed on a former occasion as to the conduct pursued by Her Majesty's Government with respect to the extradition of the Hungarian and other refugees now in Turkey. He was glad to see that upon this occasion they had broken through the line of policy adopted for many years of truckling to Russia, and he hoped they would continue to do so. He saw that the noble sentiments expressed by the Sultan had not failed to make a due impression upon the Cabinet, and he hoped the impression would be a long and lasting one. He could not help saying that the accommodation agreed to was unsatisfactory; but he could not conceal from himself the difficulties alluded to by the noble Lord the Secretary for Foreign Affairs. He could not forget that the chief difficulty to which he had adverted, though not in express language, was created by the treaty of 1841, and that, with the stipulations of that treaty staring them in the face, it was impossible for their Ambassador, or the French Ambassador, to offer to the Sultan that prompt and immediate assistance which would be necessary to effect a more satisfactory accommodation. He must say that the arrangement which had been made was due not so much to Sir Stratford Canning, or the French Ambassador, as to the skilful conduct of the Minister of the Porte. He hoped our Government would hence be taught not again so to fetter themselves as not to be able to repel promptly the aggressions of Russia. The ever-memorable and glorious declaration of the Sultan, on receiving the insolent message of the Czar, was—

> "Am I, the Master of this Empire, to be debarred from the exercise of a right enjoyed by my meanest subject, and in the exercise of which I dare not disturb the meanest vassal? Sooner let me cease to reign; sooner let the Empire perish than be so degraded."

He quoted these words from an authentic report which he had received from Constantinople. He regretted that the spirit of this noble sentiment had not been more thoroughly acted on by our Government. On the question of the Hungarian refugees, he had only to express his entire concurrence in what fell from both the noble Lords; and with respect to the other question raised by his noble Friend the Member for Marylebone, and to which a great portion of the documents demanded had reference, he had a few words to say. He could not understand on what principle it was that the noble Lord could come down to the House and allege that the public service would suffer from the publication of the entire of every document of the class indicated in the notice of the noble Lord the Member for Marylebone. The general observation applied particularly to the question of the Danubian principalities; and it appeared that the case in which those papers were asked respected the performance of a solemn obligation entered into with the assistance at least, if not on the mediation, of the British Sovereign, in the course of the last year. The obligation entered into had been set aside by one of the contracting parties, while the other party observed it most religiously. It had been violated by Christian Russia—it had been observed by unchristian Turkey. The noble Lord said, that, although the treaty had been broken by Russia, it was now going to be kept; but when they knew there was a time fixed for the performance of the arrangement, and that that time was the 31st December, 1849, a day now long since passed, so that it was, consequently, not now in the power of the Government to obtain the literal performance of the treaty, it appeared to him that the House should require something more than the assurance of the noble Lord that Russia meant to fix some other day, and adhere to it with more of fidelity than she did to recent arrangement. It should be recollected that the treaty was more or less guaranteed by England, and they had no assurance that reparation would be made. There was no reason to apprehend that the forces now quartered amongst the people of the Danubian principalities would be employed against the sovereign Power; and this, therefore, was not a question of time, but a question calling for immediate decision. With regard to the other question, which would occupy less of their attention than the former one—he meant the question lately pending between Austria and Hungary—he concurred in what fell from the noble Lord the Member for Marylebone, and would merely observe that the noble Lord the Secretary of State, when he said that England had no immediate right or obligation to interfere in the settlement of that question, or in forcing the performance of the constitutional obligations which bound the House of Hapsburg to the people of Hungary, forgot that England was a party to, and had guaranteed, the Pragmatic Sanction. That arrangement adopted by the Hungarians, and applying to this very question now before them—he meant the question as to the constitutional prerogatives of the House of Hapsburg on the one hand, and the constitutional rights of the people of Hungary on the other—was rather a Hungarian than an Austrian one. Having wasted their blood and treasure in the enterprise, they had not only a right, but also the duty, to see that the stipulations accorded to the people of Hungary by that House were performed. On the whole, he thought that, looking to the perfidious and perjured violation by Russia of all pre-existing treaties, Ministers should now be prepared with something more than a vague and general assurance of trust to justify the House in coming to an unanimous vote on the Address, or in refusing to qualify it with the expression of their hope that Her Majesty will take care, with respect to all subsisting or future treaties, to exact some real security for their performance.

Lord D. STUART said, as his noble Friend the Foreign Secretary had assured him that he was prepared to lay on the table of the House a considerable number of the documents moved for, if the Motion were withdrawn, and the selection left to himself, he should be very happy to accept that arrangement; but, before doing so, he should like to know whether the noble Lord meant to give some papers on each of the different transactions to which he had alluded, whether he would give some of the correspondence with regard to the Hungarian war, some with regard to the Moldavian question, and whether he would give the proposal for commercial regulations made by the Hungarian Government. He should like to know what the offer was, and what he had to expect, before he agreed to accept it. The noble Lord had said he did not expect that those persons who were at present detained in Turkey would be deprived of their liberty for any length of time; that their captivity, for it was nothing else, would at least be short; and he had also expressed his persuasion that the generosity of the Turkish Government would be such as to take care that, during the time they were kept in its territory, they should receive every protection and every comfort they could desire. He hoped so too; but he was not quite convinced that it was in the power of the Turkish Government to provide either for their comfort or their protection while they were in Turkey. It was known that the Austrian Government was unscrupulous in the means to which it resorted to obtain its ends; witness Gallicia, and the scenes which had occurred in Hungary, at the instigation of Austria, of which he had read a description in the early part of the evening. In Austria such a thing had happened before now, as that persons disagreeable to the Government had been put out of the way by assassination. He had information to the effect that something of the kind had been attempted—at any rate, had been planned—with regard to Kossuth, and other eminent Hungarians now detained in Turkey. Some months ago—he had this from a person who was then present with Kossuth at Widdin—a stranger arrived there, and took great pains to come into communication with the cook who dressed the food supplied to Kossuth, and with the physician who rendered him medical assistance. And shortly after it was found that some of the liquor which came to the table had been practised on, and had had something infused into it which gave great suspicion that poison was intended. Later still, in the course of December, a number of persons were reported to have arrived at Shumla, where Kossuth and his brave companions then were; these persons were Austrians, or at least furnished with Austrian passports, and the Turkish authorities gave notice to Kossuth that they had reason to believe these persons had come to Shumla with a design upon his life and that of some of his companions. Having given this notice (this he knew from Kossuth himself), the Turkish authorities added that they were unable to interfere with those persons whose murderous intentions they suspected, on account of their being furnished with Austrian passports. If this was the protection and comfort which these unfortunate, but noble and brave, patriots were to enjoy during their captivity, or during that species of surveillance which it pleased the Emperor of Austria to subject them to, there was no reason to be by any means satisfied with the arrangement that had been made. And he thought that the Sultan, if any such proceedings could be brought home to the Austrian Government, would be perfectly justified in departing from any engagement to which he had come with reference to those refugees, and immediately setting them at liberty. Nay, more, if he could not protect them in his dominions, he was bound, doubly bound, to set them at liberty. He trusted the noble Lord would direct his attention to this matter, and would use his influence with Turkey, in order that Turkey might see that these men, who were imprisoned under the requirements of a treaty, which treaty however, was not so positive that it might not be read two ways, might not be assassinated in her dominions. It was very true that they had no right to press on Turkey a particular line of policy, however desirous they might be to do so in the present case; but they had a right, at the same time, to see that Turkey was not compelled by any other Power to adopt a line of conduct which would be pleasing to that Power. He was happy to say that the noble Lord had exerted that right most efficiently. But his noble Friend might be sure that, although they had no right to dictate to Turkey, there was a thorough persuasion in the minds of the people of this country, that such was the influence of England with Turkey, they never would believe that Turkey would adopt any line of policy which would be disagreeable to this country. And if they saw the Turkish Government disposed to falter in the cause in which they had so nobly embarked, they would not be brought to believe but that it was owing to her not being properly sustained by the legitimate influence of England. He should be glad if his noble Friend laid before them such papers as might be satisfactory.

LORD C. HAMILTON said, that there was nothing in the noble Lord's first address which called for any serious observation. Any person acquainted with the history of Hungary must be aware of the extraordinary errors into which the noble Lord had fallen; and the condition of the House—the empty benches, and the frigid manner in which page after page of the observations he had read to the House from a bulky manuscript were received by the few who remained to hear him—demonstrated the little interest which was felt in the subject; but, for the honour of the House and the country, he (Lord C. Hamilton) hoped he would be supported in calling upon the noble Lord, if he believed in the truth of the insinuations which he had thrown out against the Austrian Government, of entertaining the base and inhuman design of assassination, to come forward like a man, and make the charge distinctly and without circumlocution. An accusation of such extreme gravity ought not to be introduced into a sort of reply made on withdrawing a Motion. The noble Lord had employed the usual phrases of an old woman's tale, "it was strongly reported," and "it was seriously believed," that somebody came to the place where Kossuth was residing, and had a mysterious interview with his cook, and, because the wine afterwards was supposed to present an unusual appearance, it was assumed that it had been tampered with. It was derogatory to the dignity of the House that such a gross charge should have been insinuated by one of its Members against an old ally of this country, and one which in past days had stood by us bravely and faithfully. What! impute to the Emperor of Austria the intention of carrying off by poison unfortunate men whom circumstances had compelled to take refuge in Turkey! The House must, he was sure, have listened with indignation to the base calumny directed against a Government which, with all its faults—and he was not there to approve of all the proceedings of Austria—had always acted in an upright and open manner, and had often been to this country a useful and faithful ally. He would stake his existence as to the groundlessness of the charge, which could only have entered into the mind of a man who, like the noble

Lord, was ready to swallow anything against Austria. Of course the noble Lord was not the originator of the atrocious calumny; he was merely put forward by others to utter it; but the noble Lord having insinuated it in an assembly of Gentlemen, in a hesitating manner, whilst withdrawing a Motion, he (Lord C. Hamilton) felt that it would not have redounded to the credit of the House if some one had not stood up and called upon the noble Lord either to make the accusation openly and explicitly, or to withdraw it wholly. To show the state of misty ignorance in which the noble Lord had existed with respect to the Hungarian question, it was only necessary to remind the House that the noble Lord had spoken of Hungary as having been always an independent nation, and in possession of a free constitution. The noble Lord had evidently never heard that between the first and the second battle of Mohatz, a period of more than a century and a half, Hungary was under the dominion of the Porte—that a Turkish bashaw dictated laws to her from Buda—and that the House of Hapsburgh drove back the Turk, and restored her constitution to Hungary. With respect to the murders committed on Count Latour at Vienna, and on Count Lemberg at Pesth, which the noble Lord represented to be the unpremeditated acts of a mob, it was well known that they were planned and determined on beforehand.

Mr. COCKBURN said, he hoped his noble Friend the Member for Marylebone would not press his Motion, but would rest satisfied with the assurance of the noble Lord the Secretary of State for Foreign Affairs, that he would produce such papers as would throw sufficient light on the course of policy pursued by the Government in these matters. Otherwise it would seem to him that his noble Friend would imply a doubt of the perfect propriety of the course of conduct adopted by Her Majesty's Government. He thought the explanations given by the noble Lord the Secretary for Foreign Affairs, on the present occasion, and on a former occasion, when he made a speech that gave great satisfaction to the House and to the country, should be a sufficient guarantee that the course pursued by Her Majesty's Government, and by the noble Lord, towards Austria and Russia, in the present instance, was such as became the honour, the dignity, and the interests of this country; and, therefore, he thought his noble Friend ought to be satisfied with such papers as might be produced by the noble Lord the Secretary for Foreign Affairs. He should not have trespassed on the House on the present occasion were it not for the extraordinary speech of the noble Lord opposite, the Member for Tyrone. He could quite well understand that a difference of opinion might exist as to the right and justice of the struggle in which Hungary had been engaged with Austria. But whilst he allowed that a difference of opinion might exist on that point between hon. Members of that House, he did not mean it to be inferred that he did not himself consider that the cause for which Hungary had been engaged in that frightful struggle with Austria, was one of the greatest and most righteous in which any country could be involved. He believed it to have been a struggle for the maintenance of an ancient constitution and established laws, and that it was improperly and unjustly designated as a rebellion against a lawful sovereign. He was not, however, about to enter upon the discussion of that matter now. But when, after what had taken place—after Austria had, by the aid of foreign bayonets and barbarian hordes—succeeded in putting down the Hungarian cause—when they recollected what had since passed — the frightful executions and the bloody murders which ensued —he was surprised to hear an English nobleman, with a zeal worthy of a better cause, but discreditable when employed in such a cause as that which the noble Lord had just pleaded, enter upon the defence of Austria, after the conduct of which she had been guilty before the world. He held in his hand a list, extracted from official documents, published by the Austrian authorities, of the number of executions since the termination of the struggle; and he had no hesitation in calling it one of the foulest and bloodiest death-rolls his eye had ever fallen on. After Hungary had fallen — not by the power of Austria—but by the intervention of Russia, by foreign invasion and domestic treason—when Austria had succeeded by these means, and when, if at all times the victorious party should show forbearance, there never was a time when forgiveness and forbearance were more appropriate and necessary, Austria entered upon those bloody and atrocious executions which were a disgrace to humanity, at least in modern times. He confessed he felt the greatest surprise at hearing any person defending and advocating Austria in those abominable proceedings. He would read a list of those executions, and punishments which had been inflicted, and the House would, he was sure, feel horror-struck at the noble and illustrious blood shed on this occasion; and it should be observed, that the number of persons of inferior rank executed or imprisoned was infinitely greater.

Firstly, as to the Church:

Mr. Razga, Lutheran clergyman at Presburg, hanged in June.

Mr. Meszares, Catholic priest, shot at Raab, end of June.

Mr. Gonczewsky, Catholic priest, shot at Pesth, in October.

Mr. Rudnyanszky, Catholic bishop of Neusol, sentenced to five years' imprisonment.

Mr. Bartakovics, Catholic bishop of Rosenau; Mr. Lonovics, archbishop of Erlau; Mr. Baron Bemer, Bishop of Grosswardein; Mr. Jaros, Great Prior of Gran; Mr. Levay, Great Prior of Erlau; Mr. Pupovics, Greek bishop of Munkacs—In prison under trial for high treason; they are to be tried by court-martial.

Mr. Haubner, Lutheran bishop, dead in prison.

Mr. Michael Toth, Calvinist clergyman at Debreczin (the most eloquent preacher), sentenced to eighteen years' imprisonment in heavy irons.

Besides these, Mr Horwath, Catholic bishop of Csanad; Mr. Jekelfalusse, Catholic bishop of Zipsen; Baron Mednyansky, Catholic canon, were Refugees; and Mr. Packh, Lutheran bishop, was hidden in the mountains, with a reward offered for his head.

Secondly, as to the Officers of State:

Count Louis Batthyani, Prime Minister, tried by court-martial and shot at Pesth; his estates being confiscated.

Baron Perenyi (upwards of 70 years of age), President of the House of Lords, and Judge of the Supreme Court, hanged at Pesth; estates confiscated.

Baron Jeszenak, Second Lieutenant of the county of Neutra, hanged; estates confiscated.

Mr. Csany, Minister under Kossuth, hanged; estates confiscated.

Mr. Petöcz, High Sheriff of the county of Presburg, shot at Presburg.

Mr. Szacsvay, Secretary of the Diet, and Mr. Csernus, Counsellor of the Treasury, hanged at Pesth.

Mr. Novak, Secretary in the Home Office, shot at Pesth.

Count Leopold Nasady, Privy Councillor, Lord Lieutenant of the county of Comeron, imprisoned for four years, sentenced to pay a fine of 14,000*l.*

Count Stephan Karolyi, imprisoned for four years, fined 14,000*l.*, Lord Lieutenant of the county of Pesth.

Count Raday, Lord Lieutenant of the county of Nograd, imprisoned for two years.

Count George Karolyi, fined 10,000*l.* for having shown great joy at the arrival of the Hussars.

Mr. Marczibanyi, Lord Lieutenant of Trencsen, the first of the Commoners of Hungary, fined 2,000*l.*

Thirdly, as to the Army:

General Kiss, Dessöffy, Schweidel, Török, were shot at Arad. Generals Lazar, Knezich, Count Leiningen, Count Vecsey, Nagy Sandor, Aulich, Laner, Pöltenger, Damianich, were hanged at Arad. Colonel Kazinczy, shot at Arad. Colonel Prince Woroniecky, Colonel Ormay, were hanged at Pesth. Colonel Söll, shot at Pesth. Colonel Baron Mednyansky, Colonel Gruber, Major Abancourt, and Major Giron, were hanged at Presburg. Major Fekete, hanged at Pesth. Major Murmann, shot at Temesvar. Major Lepier, shot at Panesova. General Moga, General Count Lázár, General Gaspar, imprisoned from five to eight years. Lieutenant Field Marshal Hrabowsky now under trial.

Besides these, some 50 colonels were sentenced to 18 years' imprisonment in heavy irons; about 30 lieutenant-colonels and majors, to 16 years in heavy irons. All the officers of the Hungarian army who had not served before in the Austrian army were sent to the army as private soldiers, who can be flogged by the simple order of their officer. This is the case with Count Stephan Esterhazy, Baron Frederic Podmanicszky, Count Gustav Batthyani, the son of the Count well known in England; of Baron Liptay, of Mr. Paul Csuzy, and a hundred others.

So much for the men: in addition to these individuals two women of rank, the daughter of Bishop Haubner, of Raab, and Mrs. Maderspach, at Ruskberg, were sentenced to be flogged; and not only was sentence passed, but it was actually carried into execution. And in the face of all this, were they to hear it said that the noble Lord the Member for Marylebone was to blame when he asked for some security that protection would be given to the unfortunate refugees that their lives should not be practised upon, if not by the Austrian Government, and at their instigation, at least by Austrian subjects, who perhaps knew by what means they could best obtain the favour of their Government. His noble Friend had merely stated a fact, namely, that the Turkish Government had given notice to Kossuth that persons armed with Austrian passports, and whom the Turkish Government was therefore impotent to remove, had come to Turkey for the purpose of practising on Kossuth's life. That view was corroborated by the fact that an attempt of that nature had been subsequently made; and the noble Lord was perfectly justified in stating the matter to the House, and in asking the noble Lord the Secretary for Foreign Affairs for an assurance that this country would, at all events, take all the precautions in its power to protect these unfortunate refugees against being exposed to the attempts of persons who, if not actually employed by the Government and Ministry of Austria or Russia, well knew how they could best conciliate those Governments. Being in possession itself of the greatest of all blessings, constitutional freedom, this country must necessarily feel a deep sympathy for those who were struggling for constitutional liberty. But whilst this country was prepared to give a moral support to those who were engaged in such a noble and holy struggle, he admitted that it formed no part of the policy of this country to engage in war, or to interfere by force of arms in their behalf. It would, however, offer them the shield and protection of public opinion in England whilst engaged in a contest for those liberties which, happily for the English people, their forefathers had gained, and which he trusted their descendants would never cease to love and uphold.

Mr. DISRAELI said, that he had indulged the hope that this unnecessary debate would before this time have arrived at its natural conclusion; but the observations which the hon. and learned Gentleman had just made, rendered it necessary for him to say one word in vindication of the course—the proper course, as he thought —which had been taken by the noble Lord near him (the Member for Tyrone). He congratulated the hon. and learned Gentleman upon the friendship and sympathy which he and his friends felt for a President of a House of Lords, and especially for bishops. Such indications of right feeling in such a quarter must be very satisfactory to the Conservative party. The hon. and learned Gentleman had read to the House a list of some victims of the unhappy and unfortunate civil war which had taken place in Hungary. They must all deeply deplore such events, but they could form no opinion from such circumstances whether the course which the hon. and learned Gentleman advocated was a just one. The catastrophe did not in any way prove whether the persons who were victims were criminals or heroes. He might open the *History of England* in many places, and might read a list of confiscations and executions which took place, even when the present illustrious family—to whom they were all so much indebted for their liberties and progress — were upon the Throne. He might refer to the confiscation and execution of the Earl of Derwentwater, to the execution of the accomplished and gallant Balmarino; and he might say, what do you think of a cause which has recourse to such remedies, and which can only substantiate its position by countenancing such atrocities? The hon. and learned Gentleman, therefore, in giving the House the list—even if it be authentic—of the calamities of the late civil war between Hungary and Austria, proved nothing whatever. Indeed, he needed not to go back to 1745, he might refer to the echo of that debate which was still lingering in the House—he might refer to the speech of his hon. Friend the Member for Inverness-shire yesterday — he might refer to courts-martial, to executions by mistake, hurried on with such a want of common investigation, that it was acknowledged by the judges, not even legally appointed, that the victims were not the criminals in many instances; and he might ask, what do you think of a Government which could sanction such proceedings, and what can you think of a state of society which can tolerate, for a moment, their occurrence? He might refer to what had recently taken place in those Greek islands which were under our patronage and protection—to the wholesale executions perpetrated in those dependencies; and he might ask, what do you think of the conduct of England, and what do you think of the manner in which a country placed under the protection of a great and enlightened Power is treated? And yet he might—for he was not giving any opinion upon those circumstances, which would probably come under the consideration of the House in a few days—form a very wrong judgment, and draw a very erroneous inference from them. He thought that the noble Lord the Member for Tyrone was perfectly justified in expressing his indignation at the speech of the noble Lord the Member for Marylebone; and he (Mr. Disraeli) thought that if the noble Lord had a conviction that the statement which he had made with respect to the Government of Austria was one founded upon facts, it ought to have taken a much more prominent part in this debate, rather than in an epilogue which was brought forward when the noble Lord found that the steam had not been got up as expected. When he found that none of his anticipations were realised as to the effects of his Motion, he had recourse to an insinuation of assassination against one of the allies of Her Majesty, and, in so doing, made use of expressions the most unwarrantable which had probably ever been delivered in that House. If the noble Lord had a sincere conviction that one of Her Majesty's allies was at this moment planning the assassination and the poisoning of individuals placed to a certain degree under the protection of the Government of England, the statement was one which ought to have been made in the opening speech of the noble Lord. He (Mr. Disraeli) could perfectly understand and entirely sympathise with the feeling of indignation so properly expressed by the noble Lord the Member for Tyrone. As he was on his legs he would make one observation upon the general subject before the House. Nothing gratified him more than to observe the general feeling in that House in favour of the independence and integrity of the Turkish empire. He had always believed that to maintain the independence and integrity of that empire was essential to the peace and permanent prosperity of the civilised world. He had often endeavoured to express that opinion, and had found himself sometimes in a minority in the House upon the subject. But what was the independence and integrity of the Turkish empire? Why was the Turkish empire at this moment, he would not say a falling, but, at any rate, a feeble Power? It was the crusade of the Liberal party—which, in total ignorance of the political and social condition of that country, in total ignorance of its resources, of the nature of its laws, the character of its institutions, the genius of its people, and of the absolute necessity of its existence to the cause of good government and of real liberty, five and twenty years ago commenced a crusade which only latterly has been recognised by them as a fatal error—a crusade which excited the passions of all Europe against a generous and interesting people, and against a country the political independence of which was so important both to the interests of England and Europe generally. The passions of the people of Christendom were lashed up by the Liberal party till their policy ended in the catastrophe of Navarino and in bringing the Russians to Adrianople; and those who had done all the mischief now came forward to make Motions upon which no division could take place, and to express the sympathy of England with the country, which the ignorance and prejudice of the English, fostered and stimulated by themselves, had endangered. The state of Turkey—he would not say the fallen state of Turkey, because he believed the resources of that country were very considerable, and, generally speaking, under the government which it had experienced of late years, had been considerably developed; but the critical state of Turkey, at least, was now the cause of indignation to the Liberal party of England—the party now represented by the noble Lord the Member for Marylebone—who came forward upon all occasions to denounce the usurpations, or to enlighten the House upon the subject of Russian aggression—the very party who for years played into the hands of that Power, however unconsciously—if it were so—and which created in this country a most inveterate prejudice against the character and conduct of the Turkish Government. He was very glad that they had arrived at the present result, and that, at last, the noble Lord and his friends had had their eyes opened to those errors which they had so long pursued. He considered that the barren Motions brought forward, generally in scanty Houses, upon this subject, were really a series of recantations by the Liberal party of their diplomatic ignorance. He congratulated the noble Lord at the head of the Foreign Office, upon an hon. and learned Member, who had previously signalised himself by moving his impeachment, doing justice to-night to what he styled the admirable readiness with which the noble Lord the Foreign Secretary came forward to vindicate the interests of the Turkish empire. He (Mr. Disraeli) never had considered that noble Lord, on the one hand, as a traitor, nor had he, on the other, given him credit for that consummate policy which some of his admirers, who had previously denounced him, were now ready to attribute to him. He had always thought that, generally speaking, the noble Lord would have managed affairs pretty well, had it not been for the Liberal party in the House, who, upon all occasions, in their ignorance of the subject upon which they spoke, adopted extreme opinions, and who, first of all, hallooed this country on against the Turkish empire, and, when they had done incalculable mischief, suddenly found out that the existence of that State was essential to the interests of England. The policy adopted by that party with respect to foreign affairs, resembled their policy on domestic topics, happily described by their Friend the First

Minister as the policy of contracted minds. They had imperfect knowledge, but, unfortunately, they possessed with it some power, which they used for dangerous purposes; for the last six or seven years, they had taken every opportunity of coming forward to uphold the interests and to vindicate the cause of Turkey, the critical state of which Power was entirely attributable to the excited passions of Europe, which they had roused against that State, in ignorance how important was the existence of Turkey to this country and to Europe in general.

Sir De L. EVANS was confident that the emancipation of the Greek people was an event which neither the majority of that House, nor the majority of the nation, would look back to with regret. His noble Friend the Member for Marylebone had been accused of historical ignorance; but when the assertion of his noble Friend, that Hungary had an ancient constitution, was contradicted, he ventured to say, without making any pretensions to historical knowledge, that the assertion implied no ignorance whatsoever. The constitution of Hungary was an old one. [Lord C. Hamilton: I never said the contrary.] That was one of the points on which ignorance was imputed. The noble Lord alluded also to the misfortunes of the Hungarians in the wars with Turkey. But he forgot that the Hungarians conferred benefits on Austria similar to those which he said Austria had conferred on Hungary. He forgot to tell the House that John Sobieski was the man who relieved Vienna, and saved Austria. Was it, or was it not, that Hungary had possessed one of the most ancient constitutions in Europe? [Lord C. Hamilton: Certainly.] With reference to the execution of Hungarians by the Austrian Government, the hon. Member for Buckinghamshire spoke of the uncertainty of information on such matters, and thence concluded that they ought not to indulge in strictures on the Austrian Government. He alluded to what had occurred in Ceylon and the Ionian Islands; but if severities had been inflicted in these two dependencies of this country, was there any reason to believe that they would be vindicated by a majority of that House? That one of the most bloody and horrible lists of punishments ever put on record, should be treated so lightly as it had been attempted to be treated by the hon. Gentleman, was a matter of extreme astonishment. The Government of Austria stood distinguished from the others as being the only Government in Europe which had bombarded every great city in its dominions. He was glad to find that hon. Gentlemen had not uttered a single word in disapproval of the conduct of Her Majesty's Government on the subject of debate; and he hoped it would go forth to the country and to Europe that this House unanimously approved of the judicious and discreet course which Her Majesty's Government had pursued.

Lord C. HAMILTON had never said the Hungarian constitution was not an old one. It took date seven years after Magna Charta was granted, namely, in the year 1222. He heard the noble Lord the Member for Marylebone say the Hungarians were always independent, and always enjoyed that constitution. The ignorance charged against the noble Lord was, that he did not seem to be aware that at the first battle of Mohatz the Turks appended Hungary to their empire; that for a century and a half a Turkish Pasha dictated laws from Buda; and that the ancient constitution was restored to Hungary by the House of Hapsburgh.

Sir R. H. INGLIS observed, that whatever support the Hungarians might have given to the House of Hapsburgh, John Sobieski, at least, was not a Hungarian—he was a Pole. He rose merely to make the remark, lest it should go forth that these statements of the hon. and gallant Gentleman the Member for Westminster had, by passing uncontradicted, received the unanimous assent of the House of Commons.

Sir De L. EVANS had said nothing with respect to the nativity of John Sobieski, but he believed that Hungarian troops were chiefly instrumental on that occasion in rescuing Vienna.

Mr. M. MILNES said, the hon. and eloquent Gentleman the Member for Buckinghamshire had been compelled, with all his ingenuity, to adopt a line of argument quite unworthy of his intellect, namely, vindicating certain atrocities by citing others equally wicked. He was surprised that that Gentleman should have recalled to them the past events in the commencement of the last century, when, after the rebellion of 1745, even with an adverse Sovereign on the Throne, he believed not more than twenty-five noblemen suffered execution. That took place 100 years ago, and he would then ask, were the Austrians determined to recede one hundred years in the world's history? He regretted there could be found in that assemblage a single Gentleman prepared not to vindicate but to palliate such atrocities. In France, when the question was discussed before the Chambers, where the majority was decidedly conservative, not a single voice was raised to vindicate these atrocities. But he would not say a word about the executions that had taken place—he would not regret them in accents of pity; because he believed it vain and futile, not alone in Austria, but in any other country, to seek to quench a noble cause in the blood of its advocates. However, he would wish to close that debate by referring to a matter that had not been, as yet, alluded to. He would say a word as to the fatal imprudence of such violence as regarded the Austrian empire. Austria had achieved all she could desire, not by her own armies; but was the state of Hungary one that could be looked on with satisfaction, as tending to secure the peace or tranquillity of Austria or of Europe? He trusted his noble Friend the Member for Marylebone would not press for a division, because he believed his noble Friend the Secretary of the Foreign Department would judiciously select such documents as would bear most strongly on the case; and he believed he would do so, not from a desire solely to gratify the House, but because he would find in these documents a powerful vindication of his own policy, as well as of the wisdom of the course which this country had pursued.

MR. GRATTAN rose to adduce another instance of punishment inflicted under the authority of the Austrian Government, in order to allow the noble Lord the Member for Tyrone another opportunity of displaying his generous humanity and fine national feeling. The case was described in a paper which was from authority—not from a bishop or a president, but—a lady. [*A cry of* "Question!"] Question! It was the question. He should like to see the Member who called "Question!" The document was what he had a right to read. It was a letter from an Hungarian Countess, and said—

> "In our immediate neighbourhood an army of Hungarians, amounting to 10,000 men, with 40 cannons, surrendered at discretion. Two days afterwards, some Imperial troops, a detachment of Liechtenstein's Light Horse, commanded by a captain, a native of this town, entered Ruskley. I was torn from the arms of my husband and children, from the hallowed sanctuary of home, and hurried before no judge—but I, a woman, a wife, a mother, in my own native town, before the people, who were accustomed to treat me with respect, was dragged into a square of soldiers, and there I was scourged with rods."

Was there any one in that House who could listen to the narrative of such an outrage without indignation? Had the noble Lord common feelings of humanity, that he could rise in that House and desecrate its sanctuary by parasitical adulation of women-floggers? She proceeded—

> "I can write this without dropping my head for shame. But my husband killed himself. He drew a pistol and shot himself."

That letter was signed by the Countess de Madersfrach. There was a time when, in such a cause, "a thousand swords," to use the language of Burke, "would have leaped from their scabbards in her defence." If the Marchioness of Abercorn were taken and flogged before the Grenadier Guards, what would the noble Lord think? Or what would he say if the Duchess of Devonshire were taken and flogged in the streets of London? Who with a laugh on his face could hope to walk through the streets of London without being spit upon by the women and children for his base unfeeling sentiments? They might yet succeed, before the end of the Session, in calling up a blush of shame to the cheek of the noble Lord. He (Mr. Grattan) had seen another lady, the Countess Wolkonski, whose husband was a friend of the Duke of Wellington; he had seen her selling her diamonds to procure the means of subsistence. It was the emperors of Austria and Russia who sanctioned such atrocities that were thought worthy of praise in that assembly. They began by bribing Görgey, they went on to murdering Batthyani, and he should not be surprised if they ended by poisoning Kossuth. Those northern eagles were fit emblems of those double-necked tyrants that had pounced on Hungary to destroy its independence. Thank God, he had lived to utter his execrations of those tyrants! He never could think them anything but murderers with diadems on their heads; and if they poisoned this atmosphere with their pestilential principles and presence, he trusted there was spirit enough in the British lion to humble them and repel them from these shores.

Motion, by leave, withdrawn.

KENSINGTON, ETC., PARISHES.

MR. MACGREGOR hoped the House would have the same patience with him which they had had with the Motion just disposed of. His case was simply this.

He saw two vacant seats in that House caused by the disfranchisement of Sudbury, while on the other hand he saw four compact parishes, with a population of 125,000 inhabitants, 18,000 of whom paid a rental of 10*l.* and upwards. His resolution was, that they should, by Act of Parliament, erect Kensington, Chelsea, Fulham, and Hammersmith, into a Parliamentary borough, returning two Members. Lord Chatham once said, that taxation without representation was tyranny. Looking at the electoral distribution of the country, he found 40 boroughs returning two Members each, or 80 Members for a population which, according to the census of 1841, did not exceed 220,000 inhabitants. According to this ratio, the four parishes to which his Motion referred, would return 62 Members, and yet he only asked two. The case was precisely parallel with that of East Retford in 1829. Mr. Huskisson proposed that the representation of that borough should be transferred to Birmingham. The Government, however, resisted it and with success, but in 1830 a new Government came into power, and the Reform Bill was the consequence, and by Schedule A, not only East Retford, but many others were disfranchised. He verily believed, that if they refused to agree to this resolution, the result would be a second Schedule A. He merely claimed this moderate instalment of Parliamentary reform that they might have an opportunity of showing the people that, when amendment was really necessary, they were ready to carry it out. [The hon. Member then went into voluminous details for the purpose of showing the unequal manner in which the representation of the country was distributed.] He placed the claim of the inhabitants of these four parishes upon the footing that they paid taxes, and ought to be represented. It would be impossible for the country to go on with its present representation, and every Member who voted against him that night would be regarded as opposed to all reform.

Motion made, and Question proposed—

"That in consideration of the parishes of Kensington, Chelsea, Fulham, aud Hammersmith, containing a population of about 120,000 inhabitants, residing on an area not exceeding 8,000 acres, and comprising also above 18,000 houses of the annual rental of 10*l.* and upwards; and further, in consideration that there is no other district in Great Britain with so great a number of inhabitants and houses unrepresented directly in this House, it is expedient and just to incorporate, by an Act of Parliament, the parishes of Kensington, Chelsea, Fulham, and Hammersmith, into a Parliamentary Borough, empowered to return two Members to this House, to fill up the vacancies caused by the disfranchisement of the late Borough of Sudbury."

Mr. HUME seconded the Motion.

Mr. BAGSHAW observed, that as a petition had been presented in the course of the evening from Sudbury for the re-enfranchisement of that borough, he felt bound to state, as he first drew his Parliamentary breath in that place, that he knew that a large body of young men had grown up in Sudbury, who would never be guilty of such practices as had been alleged against the late constituency; they, therefore, wished their right of choosing representatives should be restored to them.

Mr. CAMPBELL was sure the speech of the hon. Member for Glasgow had been productive of great pleasure on the other side of the House. The first point which presented itself on the consideration of the subject, was the disfranchisement of Sudbury. The hon. Member for Glasgow seemed to think that this circumstance had entailed a kind of privation on the constitution of the country. The hon. Member therefore proposed that this privation should be made up by their creating a new and large constituency. Now he (Mr. Campbell) wished to ask the House two questions on this subject. The first was, whether this proposed new constituency was calculated to improve the House of Commons?—and the second was, whether this new constituency was calculated to give representatives to a class of opinions or interests which had not been represented before? As an illustration he would take Birmingham, whose members represented a class of opinions which were entertained, as he believed, nowhere else in the British empire. He would also take the hon. Member for Manchester as an exponent of peculiar opinions as to the constitution of King, Lords, and Commons; and he (Mr. Campbell) must express his earnest hope, if such opinions were entertained in that borough, that they prevailed in no other town in the country. The hon. Member for Glasgow had not told them what peculiar opinions prevailed in these compact parishes. He (Mr. Campbell) would ask with what class of new boroughs was this proposed constituency to be associated? Was it to be a new metropolitan constituency? It was not a manufacturing district, as it was notorious that no manufacturing or commercial interest existed there.

Residing in the vicinity of this district in 1847, he (Mr. Campbell) had attended a public meeting and parochial dinner, in consequence of a pressing invitation, and was then brought into collision with certain inhabitants of this proposed borough; and it appeared to him that they were unwilling to be the objects of the hon. Gentleman's experiment. The fact was, that the passions of those who called for the erection of these new institutions were led away by the worthy knight the Member for Bolton. He thought the Motion should be rejected; and the argument on which he rested his opinion was, that by its adoption a gross injustice would be inflicted on a district in the neighbourhood of these compact parishes. The question should be put as to what ground there was why Knightsbridge should be excluded from this arrangement? The hon. Gentleman the Member for Glasgow had seemed to have forgotten that there was between Hyde-park-corner and Kensington, a district, the inhabitants of which in point of civilisation and in other qualities, were as fully capable of exercising the elective franchise as any other district. Knightsbridge was a hamlet in the county of Middlesex, and was contiguous to these four compact parishes. On what ground, then, was it to be excluded from the boundary of this new borough? He thought this was a sufficient ground for the rejection of the Motion, which, however, he trusted the hon. Member would be induced to withdraw. If, however, the hon. Gentleman should persist in pushing it, and should carry the House with him, he (Mr. Campbell) certainly should, in the Committee on the Bill, propose that Knightsbridge should have the benefit of enjoying the franchise with these compact parishes.

SIR G. GREY said, it certainly appeared to him, from what had passed during the debate, that the House had not arrived at that precise degree of information which would warrant them in coming to a final decision on the question to which so important a Motion referred. The hon. Gentleman the Member for Cambridge gave notice of his intention to propose a clause in the Bill of the hon. Gentleman the Member for Glasgow if it should pass a second reading; but there was only a resolution now before the House, which had been recommended to them, not only by the arguments of the hon. Gentleman's speech, but by those which were set forth in the notice on the paper. The first question involved in the resolution was, whether, if the vacancy of two Members should be filled up at all, they ought, without a much fuller consideration of the existing claims of many parts of the country, independently of the claims on the part of Ireland, to increase the number of the metropolitan Members. He apprehended that the representation of the metropolis had been very fully considered at the passing of the Reform Bill, and he contended they ought not lightly, and without deliberation, to disturb that proportion which had been assigned to it. On that ground alone he would resist the Motion; but there were other principles involved in it equally objectionable. The population returns showed the number of the inhabitants of the different parishes, no doubt; but it did not appear to him that the number of acres, or the density of population on a certain number of acres, constituted a fair claim to the franchise. As to the question of rental, he did not believe there was any information on which Parliament could rely. He did not doubt but that the industry of the hon. Member might have obtained full information on that point; but, in the absence of authentic information in the shape of Parliamentary returns, the House could not decide the question. A notice had been given last Session, which they were given to understand would be renewed during the present year, that if the House proceeded to dispose of the vacancy, a claim would be made on the part of his constituency by the hon. Member for Cork, which would, no doubt, be supported by a strong circumstantial statement. But the hon. Gentleman went on to state in the resolution that, "in consideration of so great a number of inhabitants and of houses unrepresented directly in this House, it is expedient," &c. Now, he really did not understand what the hon. Gentleman meant by "houses unrepresented" independently of their inhabitants. There might, in some places, be a certain number of inhabitants of houses unrepresented, but he could not at all admit that houses had a claim to the franchise. He was prepared also to take issue with the hon. Member on the arbitrary selection he had made. Knightsbridge was comprised in three parishes—Fulham, Chelsea, and St. Margaret. So far, the claim of the hon. Gentleman the Member for Cambridge was unfounded. But why did the hon. Member stop short—why had he not taken Turnham-green? Why had he left out Chiswick? Those districts contained as many inhabitants unrepresented as the parishes the hon. Gentleman had selected. He cordially concurred with the hon. Gentleman in hoping that the Motion would be withdrawn, or, if pressed to a division, that the House would not pledge itself on such vague information to a resolution so important.

Mr. HUME said, that in the course of the last Session he had presented a petition from the inhabitants of the four parishes, which contained their view of the case. They looked upon the House as incomplete—as wanting two Members—and they considered that according to the constitution of the House the proper number of its Members ought to be completed, and they suggested that the two Members should be elected from their parishes; and they prayed that they might be created into a metropolitan borough for that purpose. He (Mr. Hume) considered that they were in a worse position with regard to representation than any other portion of the country; and he thought that they ought at the time of the Reform Bill to have received equal consideration with Marylebone, and to have been included in the change. We had been acting contrary to the prinples alleged at the time of the Reform Bill. When a general reconsideration of the system of representation took place, the present inconsistent method must be altered. He had expected that the noble Lord at the head of the Government would have avowed the intention of Government as to reform of Parliament, and that he would soon take the opportunity of stating a general plan. The power of the Peers half filled the House, and the promise of the noble Lord had not been fairly and properly kept. Still, however, he advised the hon. Gentleman not to divide the House on the present occasion.

Colonel DUNNE stated, that if the present Motion were pressed to a division, his hon. Friend the Member for Cork would move an Amendment in favour of giving the two new representatives to places in Ireland. He wished to make this observation for the purpose of showing that the Irish Members were not inattentive to their duty on the present occasion.

Mr. MACGREGOR said, that after the statement of the right hon. the Home Secretary, and after the recommendation of the hon. Member for Montrose, he should not press the matter to a division. So great a population could not remain long unrepresented in Parliament. He was certain that Scotland and other places would be duly represented.

Motion, by leave, withdrawn.

MARRIAGES.

Mr. S. WORTLEY, in moving for leave to bring in the Bill of which he had given notice, said, he believed he should best consult the convenience of the House by refraining from entering upon the merits of the question. When he had introduced a measure upon this subject, upon a former occasion, he had deemed it respectful to the House to make a statement of his views; but, as a general rule, it was not a convenient course to discuss the principle of a Bill on the first reading. He would therefore merely state that the main object of this Bill was the same as the former one; but to meet the more important objections that had been made by some of his Friends around him, and by some hon. Gentlemen opposite, he had introduced Amendments, the purport of which he would state. One of the Amendments which he intended to introduce, would have the effect of protecting parties to marriages recently contracted, from any consequences arising out of the law of the land, as well as that of rendering their issue legitimate; the second would have reference to the clergy. Now, one of the chief objections to the former Bill was, that it protected the clergy from the consequences of celebrating these marriages. He did not now mean to interfere in that respect with the law or the discipline of the Church, but leave it to the clergy to celebrate those marriages or not, according to their own consciences, without any fear of civil consequences, the law of the Church being left as before. He had felt that there was force in the objections made last Session, and, after deliberation and consultation with his friends, he had come to the conclusion that it would be wise to omit those provisions to which such objections had been made, and to leave the rules and discipline of the Church perfectly untouched by the Bill he now proposed. It was not his intention to interfere at all with the Church. He reminded the House that in the course of last Session, after three nights of full debate, the main object of the measure had been sanctioned by a House consisting of 320 or 330 Members.

Motion made, and Question proposed—

> "That leave be given to bring in a Bill to amend and alter an Act passed in the fifth and sixth years of the reign of King William the

Fourth, so far as relates to marriages within certain of the prohibited degrees of affinity."

Sir R. H. INGLIS said, that sooner than the principle of the measure should receive the assent of the House, as he apprehended it would if the introduction of the Bill were permitted without discussion and opposition, he would himself oppose the Motion. He was sanctioned in his opposition by the opinion of the House, as expressed on a former occasion. When his noble Friend behind him, who was inferior to none in talents and character, asked leave to introduce such a measure, he felt bound to resist it, and the House rejected the proposition. He placed his objections to it on three grounds: that it was an alteration of the law of the land, an alteration of the law of the Church, and an alteration, if man could make it, of the law of God. It was a violation of that which he believed to be scriptural truth. But it was not necessary for him to take ground so high; it was enough to justify his opposition to the measure that it was equally against the law of the land, and of the Church; but he believed it was equally against the feeling of the great body of the people, and it certainly was against the unanimous feelings of one sex in this country. How often had this Bill occupied the attention of the House before? The result of it all was, that the Bill was adjourned for six months—in other words, abandoned. He appealed to his hon. Friends the Members connected with Scotland, and particularly him whom he might term, without disrespect, that venerable Member for Scotland the Member for Montrose, whether the public sentiment of that division of the empire was not against the change? Did anybody deny that? Did anybody deny that the almost universal feeling of the women of the empire was against it? Did anybody deny that a very large proportion of the men of the country were against it? When the principle of the Bill was, for the first time, carried last year, leave only having been given on former occasions to bring it in, it was by a majority of no more than 33, and he believed there was a growing feeling against any secular legislation on the subject. He hoped there were many who would feel that this question, if not a scriptural one, as he contended it was, was so much connected with religion that the voice of its ministers ought to be heard upon it with great respect, whilst those who constituted the great body of professing Christians in this country, namely, the adherents of the Established Church, gave it their strong and decided opposition. The law, as it now stood, was upheld alike by Greek, Armenian, Protestant, and Roman Catholic. He believed that the proposed change would be a violation of the interests of social life, that it affected the peace of families, and might prove the source of the greatest unhappiness. He therefore earnestly entreated the House to refuse leave for the introduction of the Bill.

Mr. S. HERBERT could not but feel that the measure was now brought forward on different ground from that of last Session, affecting, as that did, both the civil law of the country and the ecclesiastical law of the Church of England. Speaking for himself as a member of the Church of England, he had not only no wish to see the law altered, but he must deprecate an alteration of the law which, so far as it affected his religious communion, would have a mischievous effect on society. But here, having to deal with persons of other communions, who did not recognise the same ecclesiastical law—with the Roman Catholics, who by dispensation tolerated marriages such as those proposed by the Bill—there being also Protestant churches in Europe and Protestant denominations in this country, who recognised the validity, ecclesiastically speaking, of such marriages—it was impossible not to feel that the civil law which declared the illegality of such marriages, bastardised the children, and imposed a heavy penalty on persons who, by contracting them, did not contravene the tenets of their religious persuasion. The proposition made last year was so objectionable that it was not then in his power to support the Bill. It was a direct interference by Parliament with the discipline of the Church, of which he was a member. No body, however trivial its objects, could maintain itself if it was not to be allowed to uphold, for its own purposes, its own discipline, and the by-laws by which it was to be governed. He thought the proposed interference by Parliament so objectionable, that no advantage to be derived from other parts of the measure could induce him to give it his sanction. But this great alteration having been made, the change being to affect the civil law only, without touching the ecclesiastical law, he thought it would be an ungracious act towards religious denominations dissenting from the Church of England to say that this Bill, so affecting their civil rights, should not be allowed to be read a first time. If, therefore, the hon. Member for the University of Oxford should persist in moving the rejection of the Bill in its present stage, he should, without pledging himself in any way as to the course he might think it proper to take at a future point of its progress, think it his duty to vote against the Amendment.

Mr. LAW thought it a fatal objection to the Bill that it retrospectively made such marriages legal, and legitimated the issue of them. A greater violation of the law, in his opinion, could not be offered than in the present measure. But his opposition to the Bill would be founded on higher principles—on the opinion, as expressed by the hon. Baronet the Member for the University of Oxford, that it was contrary to the notions of the Church of England, and he should have thought, until he heard the opposite opinion, contrary to all Christian notions from the earliest times, and contrary, also, to the Jewish notion. The so-called marriages already contracted were mere void ceremonies; it was, in fact, a concubinage which had been entered into by those parties in violation of the existing law, and they might as well legalise the cohabitation of any number of persons with their mistresses for the last ten years, and say, that if they went to church all should be reckoned as if they had married ten years ago—

"Conjugium vocat; hoc prætexit nomine culpam."

There had been nothing in such cases approaching to an honest religious ceremony; but if they had done it with the sanction of a minister of the Church, it was by an impudent fraud, and by representing that they knew of no obstacle why marriage should not be contracted with the permission of the Church. The present proposition would give a premium on the violation of the law and deception of the clergyman, and was absolutely insulting to the moral sense of the Legislature.

Mr. MANGLES said, that the only passage from the Scripture that was relied on in opposition to this Bill, had in his opinion quite an opposite interpretation, and they had the best of all human testimony that it was so in the fact that those to whom that law had been delivered took the same view of it for which he contended. There was another point which he thought had not been before raised, and it was this. He believed that the law as it stood operated as a delusion and a snare among honest people, as it provided to effect that by Act of Parliament which could only be done by the law of nature in professing to establish between a man and the sister of his wife the feelings which were impressed upon his heart by the law of nature towards his sister in blood.

Mr. GOULBURN said, that if he had not risen immediately after his right hon. Friend to oppose his Motion, it was not because his opinions had undergone any change upon this matter, but because his right hon. Friend, not having stated the new grounds on which he intended to rely for the support of his Bill, he thought it better to wait until the question would come again before the House before stating his grounds of objection to it. The hon. Gentleman who had just sat down had told them that he would act on the law of God as written on the heart alone—

Mr. MANGLES: I said no such thing. What I stated was, that we sought to create a sacred feeling by Act of Parliament with regard to a wife's sister, which God had implanted in our hearts towards sisters in blood.

Mr. GOULBURN said, that then the argument of the hon. Gentleman came to this—that he would set the restrictions made by the law of affinity entirely aside. It was plain that the hon. Gentleman had not read the chapter in Leviticus, and he should therefore advise him to do so before the second reading of the Bill came on.

Question put.

The House divided:—Ayes 149; Noes 65: Majority 84.

List of the Ayes.

Abdy, T. N.
Adair, R. A. S.
Anson, hon. Col.
Anstey, T. C.
Archdall, Capt. M.
Armstrong, R. B.
Bagshaw, J.
Baring, rt. hon. Sir F. T.
Baring, T.
Barnard, E. G.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. H. F.
Best, J.
Birch, Sir T. B.
Bouverie, hon. E. P.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Bunbury, E. H.
Buxton, Sir E. N.
Cardwell, E.
Caulfeild, J. M.
Cayley, E. S.
Chaplin, W. J.
Childers, J. W.
Clay, J.
Cobden, R.
Cockburn, A. J. E.
Copeland, Ald.
Craig, W. J.
Crowder, R. B.
Dalrymple, Capt.
Dawson, hon. T. V.
Dodd, G.
Duke, Sir J.
Dundas, Adm.
Ebrington, Visc.
Ellis, J.
Elliot, hon. J. E.
Evans, W.
Ewart, W.
Fagan, W.
Filmer, Sir E.
Foley, J. H. H.
Forster, M.

Fortescue, C.
Fortescue, hon. J. W.
Fox, W. J.
Freestun, Col.
Frewen, C. H.
Gibson, rt. hon. T. M.
Greene, J.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Earl
Hamilton, Lord C.
Hanmer, Sir J.
Harris, R.
Hastie, A.
Hatchell, J.
Hawes, B.
Hayter, rt. hon. W. G.
Heald, J.
Heathcoat, J.
Henry, A.
Herbert, H. A.
Herbert, rt. hon. S.
Heywood, J.
Heyworth, L.
Hill, Lord M.
Hobhouse, T. B.
Howard, Sir R.
Hudson, G.
Hume, J.
Jackson, W.
Jervis, Sir J.
Jocelyn, Visct.
Ker, R.
Kershaw, J.
Lascelles, hon. E.
Lascelles, hon. W. S.
Lennard, T. B.
Lewis, G. C.
Loveden, P.
Lushington, C.
Macnaghten, Sir E.
M'Cullagh, W. T.
M'Gregor, J.
Mandeville, Visc.
Mangles, R. D.
Martin, S.
Masterman, J.
Matheson, Col.
Melgund, Visc.
Milner, W. M. E.
Milnes, R. M.
Moffatt, G.

Monsell, W.
Morris, D.
Mulgrave, Earl of
O'Connell, M. J.
Ogle, S. C. H.
Paget, Lord A.
Parker, J.
Pechell, Sir G. B.
Peto, S. M.
Pilkington, J.
Power, Dr.
Power, N.
Rawdon, Col.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Romilly, Sir J.
Russell, F. C. H.
Salwey, Col.
Sandars, J.
Scholefield, W.
Scrope, G. P.
Seymour, Lord
Smith, J. A.
Smith, J. B.
Smyth, J. G.
Somerville, rt. hn. Sir W.
Stanford, J. F.
Stansfield, W. R. C.
Strickland, Sir G.
Stuart, Lord D.
Stuart, Lord J.
Stuart, H.
Thompson, Col.
Thompson, Ald.
Thornely, T.
Townshend, Capt.
Trelawny, J. S.
Tufnell, H.
Vivian, J. H.
Wakley, T.
Walmsley, Sir J.
Watkins, Col. L.
Willcox, B. M.
Williams, J.
Wilson, W.
Wilson, M.
Wrightson, W. B.
Wyld, J.
Wyvill, M.

TELLERS.

Wortley, J. S.
Spooner, R.

List of the Noes.

Adderley, C. B.
Arkwright, G.
Bennet, P.
Beresford, W.
Berkeley, C. L. G.
Bernard, Visct.
Boyle, hon. Col.
Brisco, M.
Broadley, H.
Cabbell, B. B.
Campbell, hon. W. F.
Carew, W. H. P.
Chatterton, Col.
Clerk, rt. hon. Sir G.
Coles, H. B.
Cubitt, W.
Disraeli, B.

Duckworth, Sir J. T. B.
Duncuft, J.
Dundas, rt. hon. Sir D.
Farrer, J.
Forbes, W.
Fordyce, A. D.
Fox, S. W. L.
Goulburn, rt. hon. H.
Greenall, G.
Greene, T.
Grogan, E.
Gwyn, H.
Hall, Sir B.
Halsey, T. P.
Hamilton, G. A.
Hastie, A.
Hayes, Sir E.

Hildyard, R. C.
Hildyard, T. B. T.
Hood, Sir A.
Hope, A.
Lindsay, hon. Col.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, W. F.
Maule, rt. hon. F.
Morgan, O.
Mullings, J. R.
Naas, Lord
Napier, J.
Packe, C. W.
Pakington, Sir J.
Palmer, R.
Plowden, W. H. C.

Reid, Col.
Richards, R.
Sandars, J.
Sibthorp, Col.
Stafford, A.
Stanley, E.
Stuart, J.
Sullivan, M.
Taylor, T. E.
Turner, G. J.
Verner, Sir W.
Wegg-Prosser, F. R.
Wellesley, Lord C.
Willoughby, Sir H.

TELLERS.

Inglis, Sir R. H.
Law, C. E.

Bill ordered to be brought in by Mr. Stuart Wortley, Mr. Edmund Denison, and Mr. Masterman.

ROMAN CATHOLIC RELIGION.

Mr. ANSTEY moved for leave to bring in a Bill for the repeal of penal Acts against the Roman Catholic religion. The hon. and learned Member said, he would make no statement of the nature and purport of the measure, further than saying that with some verbal alterations it was substantially the same as that which, the year before last, reached the second reading.

Motion made, and Question put—

"That leave be given to bring in a Bill for the repeal of Penal Acts against the Roman Catholic Religion."

Sir R. H. INGLIS appealed to the right hon. Baronet the Home Secretary, to say in the first instance whether he was now prepared to support or to oppose a Bill which last year Her Majesty's Ministers concurred with the House in rejecting. If the right hon. Gentleman would at once express his intention to oppose it, he would save himself and many other Members the vexation of coming down to the House week after week upon a fruitless waste of time.

Mr. LAW joined in the application of his hon. Friend, and trusted the right hon. Baronet would, by his answer, enable the House to escape from the nuisance which would otherwise be found to exist on Wednesdays. He hoped the House would be saved from the torture and infliction of hearing repeated speeches from his hon. and learned Friend on this subject; for his hon. and learned Friend, even when he had no opponent, was ambitious of anticipating objections that were never raised or meant to be raised. Last year he (Mr. Law) met the measure by a simple negative, without entering into any argument at all. His hon. and learned Friend spoke for one hour and twenty minutes in answer to a speech that was never made at all. The Bill would redress no single grievance; and even if it did, it would violate a compact long since entered into with the Roman Catholic interests.

Sir G. GREY replied, that with regard to the first of the two questions asked him by the hon. Baronet the Member for the University of Oxford, he should appeal to the former course he had taken with regard to the Bill. He did not then support the whole of it, but he supported the portion which proposed to repeal certain obsolete statutes. He should repeat what he had then stated, that he did not think those obsolete statutes could ever again be enforced, and that they offered no safeguard or security whatsoever to the constitution. Whilst, therefore, he should wish to see them repealed, he did not think it made any difference whether they were repealed or not. As to the second question, with regard to the time of the House being wasted by the discussion upon the Bill, when there existed a very great doubt of its finally receiving its sanction, that, he considered, was a matter for the consideration rather of the hon. and learned Gentleman who introduced the Bill. He (Sir G. Grey) did not think it would be a sufficient ground for his opposing it; but if the hon. and learned Gentleman would take his advice, he would refrain from persevering with it. But if he went to a division, and the majority of the House were opposed to the introduction of the Bill, the time of the House might be saved.

The House divided:—Ayes 71; Noes 77: Majority 6.

List of the Ayes.

Bagshaw, J.
Baring, rt. hon. Sir F. T.
Bass, M. T.
Bellew, R. M.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Blackall, S. W.
Bright, J.
Brotherton, J.
Bunbury, E. H.
Clements, hon. C. S.
Cockburn, A. J. E.
Craig, W. G.
Dalrymple, Capt.
Dawson, hon. T. V.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Dunne, Col.
Ebrington, Visct.
Elliot, hon. J. E.
Evans, W.
Fagan, W.
Foley, J. H. H.
Fordyce, A. D..
Fortescue, C.
Fortescue, hon. J. W.
Freestun, Col.
Greene, J.
Grey, R. W.
Hall, Sir B.
Hastie, A.
Hatchell, J.
Hawes, B.
Hayter, rt. hon. W. G.
Herbert, H. A.
Heywood, J.
Hobhouse, T. B.
Jervis, Sir J.
Kershaw, J.
Lewis, G. C.
M'Cullagh, W. T.
Melgund, Visct.
Milner, W. M. E.
Monsell, W.
Mulgrave, Earl of
O'Connell, M. J.
Palmer, R.
Parker, J.
Pechell, Sir G. B.
Pilkington, J.
Power, Dr.
Rawdon, Col.
Ricardo, O.
Russell, F. C. H.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Scully, F.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Stuart, Lord D.
Thompson, Col.
Townshend, Capt.
Trelawny, J. S.
Tufnell, H.
Wakley, T.
Watkins, Col. L.
Wegg-Prosser, F. R.
Wilson, J.
Wilson, M.
Wood, W. P.

TELLERS.

Anstey, C.
Sullivan, M.

List of the Noes.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Bennet, P.
Beresford, W.
Bernard, Visct.
Best, J.
Bremridge, R.
Brisco, M.
Broadley, H.
Cabbell, B. B.
Carew, W. H. P.
Chaplin, W. J.
Chatterton, Col.
Childers, J. W.
Coles, H. B.
Copeland, Ald.
Cubitt, W.
Davies, D. A. S.
Disraeli, B.
Dodd, G.
Duckworth, Sir J. T. B.
Duncuft, J.
Farrer, J.
Filmer, Sir E.
Forbes, W.
Fox, S. W. L.
Frewen, C. H.
Goulburn, rt. hon. H.
Greenall, G.
Grogan, E.
Gwyn, H.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Hayes, Sir E.
Heald, J.
Hildyard, R. C.
Hildyard, T. B. T.
Hood, Sir A.
Hudson, G.
Knox, Col.
Lascelles, hon. E.
Lindsay, hon. Col.
Lockhart, W.
Mackenzie, W. F.
Mandeville, Visct.
Masterman, J.
Maule, rt. hon. F.
Morgan, H. K. G.
Mullings, J. R.
Naas, Lord
Napier, J.
Newdegate, C. N.
Packe, C. W.
Plowden, W. H. C.
Reid, Col.
Richards, R.
Sandars, G.
Sandars, J.
Sibthorp, Col.
Smyth, J. G.
Spooner, R.
Stafford, A.
Stanford, J. F.
Stanley, E.
Stuart, H.
Stuart, J.
Taylor, T. E.
Thompson, Ald.
Turner, G. J.
Verner, Sir W.
Wellesley, Lord C.
Willoughby, Sir H.
Wortley, rt. hon. J. S.
Wyld, J.

TELLERS.

Inglis, Sir R. H.
Law, C. E.

Bill lost.

COUNTY CESS (IRELAND) BILL.

Mr. MONSELL, in moving that the Speaker should leave the chair for the purpose of the House resolving itself into Committee upon this Bill, begged to state that the object of it was to alter the law with regard to certain collections of county cess. The collectors were obliged, on their appointment, to give their bonds with security for the payment of the full amount named in their warrants; but the distress of the last three or four years in Ireland having caused a great deal of land to be thrown out of cultivation, they were unable to collect the cess. He would give one instance of a barony in the county of Limerick, containing upwards of 9,000 acres, of which no less than 3,000 acres were now lying waste. Under these circumstances a Bill had been introduced last Session to protect the collectors from being obliged to make up the difference out of their own pockets, which they would be actually compelled to do under the existing law; but from the lateness of the period at which it passed (the close of July), some of the assizes had terminated before the Act came into operation; and as the provisions could only be complied with at the assizes, the collectors in the districts where they had terminated were deprived of its advantages. The present Bill was, therefore, intended to place those districts upon precisely the same footing as the remainder of the kingdom; and the tribunal to which he proposed to refer the collectors was, in the first instance, a committee of three of the grand jury, who should examine the statement of the collector as to the amount likely to be obtained, and refer the final adjudication to the full grand jury.

Mr. BROTHERTON moved the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."

Mr. SULLIVAN seconded the Motion.

Lord NAAS objected to going into Committee on the ground that the Bill had not been printed, and he thought it an objectionable measure.

Col. DUNNE remarked that the Bill was read a second time by mistake.

Sir W. SOMERVILLE observed that if the Bill were to pass at all, it was necessary that no time should be lost. Everybody seemed to agree in the necessity of passing such a Bill, and, therefore, unless hon. Gentlemen really intended to throw out the Bill, he hoped they would go on with it to-night.

Mr. STAFFORD said he could bear testimony to the necessity of the case.

Sir G. GREY said, he hoped after what had passed, the Motion for Adjournment would be withdrawn.

Motion, by leave, withdrawn.

Bill considered in Committee, and reported without Amendment; to be read 3° To-morrow.

The House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, February 8, 1850.

Minutes.] Public Bills—1° Removal of Obstructions in Corn Trade (Scotland); Criminal Law Consolidation. 3° Registrar's Office, Bankruptcy.

AFFRAY AT DOLLY'S BRAE.

Lord STANLEY gave notice that on Monday, the 18th, he would call the attention of their Lordships to the unfortunate circumstances which took place at Dolly's Brae on the 12th of July last, and to the subsequent dismissal of his noble Friend, the Earl of Roden, and two other gentlemen, from the magistracy in consequence of these transactions. He also intended, at the same time to move for papers in addition to those already presented to Parliament. He thought it desirable to give notice of this Motion for a remote day in order that many Lords who wished to be present at the discussion might be enabled to attend; and in order that the Lord Lieutenant of Ireland might have an opportunity of being present, or of giving such information as he might think requisite to his Colleagues, as upon that occasion he (Lord Stanley) might have occasion to express his opinion of the course pursued by that Nobleman.

The Earl of RODEN: In consequence of the notice of Motion which had just been given by the noble Baron, he begged leave to say a few words to their Lordships, as he supposed that his noble Friend intended upon that occasion to go fully into the events which occurred in Ireland last summer, and in which he was supposed to be concerned. All that he should now say was, that he should feel it to be his duty to be in his place on that occasion to answer any question which any of their Lordships might be pleased to put to him, or to give any statement which might be necessary to elicit the truth. He trusted, and hoped, that, as there were many circumstances that were known only to his noble Friend the Lord Lieutenant and himself, it would be the convenience of the noble Earl to be present on that occasion.

CRIMINAL LAW CONSOLIDATION BILL.

Lord BROUGHAM said, he would introduce to their Lordships, for the third time, a Bill on a subject of very great importance. It was a Bill for consolidating and amending the criminal code. That Bill had been thoroughly considered and greatly improved; and he hoped that when it was passed in that House, it would also be fairly considered elsewhere, and that no fatal alterations might be made in it, as had been made in the Bankruptcy Consolidation Bill, whereby many criminals had been enabled to escape from justice.

Read 1ª.

POOR LAW RETURNS.

The **Earl of ELLENBOROUGH** called the attention of the noble Lord at the head of the department of Woods and Forests to some questions which had recently been addressed to the chairmen and vice-chairmen of all boards of guardians in England and Wales, and the answers to which would bring out in detail the real condition of all classes of the people in this kingdom. He wanted to know whether those answers had yet been received, and if they had, when they would be laid upon the table?

The **Earl of CARLISLE** promised to make inquiry on the subject.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, February 8, 1850.

Minutes.] Public Bills.—1° Larceny Summary Jurisdiction; Registrar's Office, Bankruptcy; Estates Leasing (Ireland); Party Processions (Ireland); Charitable Trusts.
3° County Cess (Ireland).

COLONIAL POLICY.

Lord J. RUSSELL* said: I believe there are few Members of the House who do not consider it expedient that, at this early period of the Session, a declaration should be made by the Government of the general policy it means to pursue with regard to our colonial affairs. So many statements have been made on the subject, such a variety of views, of interests, so many various facts have been put forward, that it is, beyond doubt, desirable and necessary that Her Majesty's Ministers should not delay to declare what are the opinions they entertain as to the great colonial affairs committed for the time to their charge, and as to what should be the permanent colonial policy of this country. In undertaking this task, I am appalled by its magnitude; I feel that I am not able adequately to discharge it; but I consider it most desirable, if for no other purpose than to enable this House, in the course of the various discussions it may hold upon subjects connected with the colonies, to form some clear judgment as to the general principles which should guide it in its deliberations. It is important that you should know on what it is you will have to deliberate :· if your public spirit should induce you to preserve your colonies, or if your wisdom should induce you to amend your policy; or, finally, if an unhappy judgment should induce you to abandon your colonies, it is essential to know what it is you would preserve, or amend, or abandon. It is a great consolation for me to reflect that there are several Members of the House who have applied themselves to colonial questions, and who have shown great ability and knowledge in that pursuit. I may mention among others, the hon. Baronet the Member for Southwark, and the hon. and learned Member for Sheffield, who have, in speeches addressed to this House, and in printed pamphlets, displayed very considerable talent, and much study of this most important subject.

In considering this question, I will first state generally how our present colonial empire stands; and as the facts in detail must be familiar to most Members of the House, I will content myself with the merest outline of those facts. Putting aside the foundations of those American colonies which afterwards separated from us, and dealing only with our present colonies, I will state that our first settlements in the West Indies date from the conclusion of the reign of James I., and the beginning of the reign of Charles I., that is to say, before the beginning of the civil war. Islands which had been discovered and afterwards abandoned by the Spaniards, were at that period found by British navigators to produce the richest fruits of the earth, and to be almost without inhabitants, the former population having been exterminated by Spanish cruelty—proofs at once of the bounteous benevolence of Providence, and of the barbarous wickedness of man. During the Protectorate, Cromwell had to consider the pretensions, enforced with great vigour, of Spain, who insisted that not only none of her discoveries on the continent of America, and none of its islands, should be occupied by our colonists; but, further, that we should not carry on trade with any quarter of the

New World. It was not to be expected that Cromwell, with his high notions of British power and energy, would yield to such pretensions; and, accordingly, an expedition was fitted out by him, which, though it did not attain its immediate object, effected, as its ultimate result, the conquest of Jamaica. Afterwards, in the reign of Charles II., other West India islands were occupied and colonised. Such, then, was the beginning of our first colonial empire.

At the commencement of the next century, during the war, Gibraltar fell into our hands. After the glorious war of 1756, many more islands were added to our dominions, and we, besides, obtained possession of Canada, as to the acquisition of which, the Marquess de Montcalm, a sagacious statesman as well as an heroic soldier, declared that, although it would be a loss to France, it would lead to the separation of her American provinces from England, and thus compensate to France for her loss. In the unfortunate war with the united provinces of America, our losses were far greater than our gains. But, in the great revolutionary war which began in 1793, we made further additions, by the naval and military forces of the Crown, which were confirmed to us, as cessions, by the peace of 1814–1815.

I will now enumerate to the House the colonial acquisitions made by England in the periods respectively between 1600 and 1700, between 1700 and 1793, and between 1793 and 1815:—From 1600 to 1700—Nova Scotia, New Brunswick, Prince Edward's Island, Newfoundland, Bermuda, Jamaica, Honduras, Bahamas, Barbadoes, Antigua, Montserrat, St. Christopher's, Nevis, Virgin Islands, Gambia, St. Helena. From 1700 to 1793—Canada, St. Vincent, Grenada, Tobago, Dominica, Gibraltar, Sierra Leone, forts and settlements on Gold Coast, New South Wales. From 1793 to 1815—St. Lucia, British Guiana, Trinidad, Malta, Cape of Good Hope, Van Diemen's Land, Mauritius, Ceylon. I will not here state the colonies which have since been formed. There will be other occasions on which to refer to them in the course of the debate.

I will proceed to explain the general principles on which the colonies I have enumerated were formed. In the first place, the object seems to have been to send out settlers from this country, and to enable them to colonise these distant islands. But, in the next place, it was evidently the system of this country—as at that time it was the system of all the European countries — to maintain strict commercial monopoly in relation to its colonies. By various statutes, to which I need not further allude, several of which have been very recently under the consideration of the House, we took care that all the trade of the colonies should centre in this country; that all their productions should be sent here, and that no other nation should bring those products to this country, or carry them abroad. It was conceived that we derived great advantages from this monopoly; and Mr. Dundas, so late as 1796, speaking of the colonies, expressed the opinion, that unless the trade of our colonies was secured by us with monopoly, they would find a market for their goods elsewhere, which would be productive of great loss and detriment to the nation.

But there was another and a most remarkable characteristic attending these colonies, and this was, that wherever Englishmen have been sent, or have chosen to settle, they have carried with them the freedom and the institutions of the mother country. I will take the liberty of reading some extracts from a patent given to the Earl of Carlisle when he went out to be Governor, and I think proprietor, of Barbadoes, in 1627, that is to say, in the reign of Charles I. :—

"Further know ye, that we, for us, our heirs and successors, have authorised and appointed the said James Earl of Carlisle, and his heirs (of whose fidelity, prudence, justice, and wisdom we have great confidence) for the good and happy government of the said province, whether for the public security of the said province or the private utility of every man, to make, erect, and set forth, and under his or their signet to publish, such laws as he, the said Earl of Carlisle, or his heirs, with the consent, assent, and approbation of the free inhabitants of the said province, or the greater part of them, thereunto to be called, and in such form as he or they in his or their discretion shall think fit and best.

"We will also, of our princely grace, for us, our heirs, and successors, straightly charge, make, and ordain, that the said province be of our allegiance, and that all and every subject and liege people of us, our heirs, and successors, brought or to be brought, and their children, whether there born, or afterwards to be born, become natives and subjects of us, our heirs, and successors, and be as free as they that were born in England; and so their inheritance within our kingdom of England, or other our dominions, to seek, receive, take, hold, buy, and possess, and use and enjoy them as his own, and to give, sell, alter, and bequeath them at their pleasure; and also freely, quietly, and peaceably, to have and possess all the liberties, franchises, and privileges of this kingdom, and them to use and enjoy as liege people of England, whether born, or to be born, without impediment, molestation, vexation, injury, or trouble of us, our heirs, and successors, &c."

Such were the terms on which the King, whose haughty assertion of his prerogative afterwards brought about the civil war, set forth the rights and liberties of those of his English subjects who chose to reside in the colony of Barbadoes.

The government of Jamaica, settled by Cromwell, was at first a purely military government, but in the reign of Charles II. it was made likewise a constitutional government, having an assembly, and the right to levy taxes, and to administer its affairs according to the form and on the model of the English constitution. It so happened that this policy became, not long after, matter of question in the King's Council. In the early part of the reign of James II. a question was raised in relation to the colony of Barbadoes, and, in fact, affecting all the British colonies. Mr. Fox, copying Barillon, in relation to that subject, writes :—

> "Among the various objections to that nobleman's (Marquess of Halifax) political principles, we find the charge most relied upon for the purpose of injuring him in the mind of the king was founded on the opinion he had delivered in council, in favour of modelling the charters of the British Colonies in North America upon the principles of the rights and privileges of Englishmen. There was no room to doubt (he was accused of saying) that the same laws under which we live in England should be established in a country composed of Englishmen. He even dilated upon this, and omitted none of the reasons by which it can be proved, that an absolute government is neither so happy nor so safe as that which is tempered by laws, and which limits the authority of the prince. He exaggerated, it was said, the mischiefs of a sovereign power, and declared plainly that he could not make up his mind to live under a king who should have it in his power to take, when he pleased, the money he might have in his pocket."

I consider it to be very remarkable when we find the nobleman who had advised Charles II. to dispense with his Parliament, whose knowledge and ability had been most useful to that monarch, so thoroughly imbued with the principle that Englishmen everywhere else, ought to live free as Englishmen at home; that in the King's Council when the question was submitted to him whether the population of an English colony were to be adjudged to live under the arbitrary rule of the Sovereign, or under free institutions, he declared forcibly and unhesitatingly in favour of freedom.

That this opinion was in conformity with the general constitution of these colonies, that it was in conformity with the general principles of English law, is, I think, proved by the opinion of Sir Philip Yorke, and another law-officer of the Crown, which was quoted by Lord Mansfield in the well-known case of the Jamaica proclamation. The Assembly of Jamaica, having entered upon a dispute in relation to the 4½ per cent duties, it was referred to Sir P. Yorke to know "what could be done if the Assembly should obstinately continue to withhold all the usual supplies?" They reported, that if Jamaica was still to be considered as a conquered island, the King had a right to levy taxes upon the inhabitants; but if it was to be considered in the same light as the other colonies, no tax could be imposed upon the inhabitants but by an Assembly of the island, or by an Act of Parliament. I think that opinion is quite sufficient with respect to the general law on the subject.

In the case of the island of Grenada, that island having been ceded to us by the peace of Paris of 1763, the King issued a proclamation, by which he gave a council and an assembly to the island, with power and direction to the governor, with the advice and consent of the council and the representatives of the people, to make, constitute, and ordain laws, statutes, and ordinances for the good government thereof, and to levy such taxes as to the same might seem fit. It afterwards became a question whether the King had a right to tax the people of the island to a certain amount to be paid to the Crown, and Lord Mansfield then declared, that whatever might have been the power of the Crown at the time of the acquisition, the proclamation which granted to the colonists the rights and privileges exercised under the British constitution, placed it out of the power of the Crown afterwards to make any arbitrary assessment.

What has been the policy since that period? For various reasons, some of which I can imagine, but which I will not now state, from the peace of 1763 to the peace which followed in 1814–1815, though there were some acquisitions which appeared at that time to be in a similar position with the islands to which I have referred, it does not seem to have been thought desirable to imitate the policy which had been formerly pursued, and therefore, in these acquisitions, whether under capitulation, or by an Order in Council, the old Spanish or Dutch institutions, or whatever they might be, were, for the most part, retained, and the government of the various acquisitions was not formed on the model of the English constitution.

With reference to commercial relations and administration, there have lately been very great changes adopted deliberately by the Government of this country, or rather have been going on for many years past. In 1786 Mr. Pitt seems to have had for a time the belief that the relations between our West India colonies and the North American States, now become the United States of America, could be carried on much as they had been when the latter were under the dominion of Great Britain; but this policy was not carried into effect; on the contrary, there was an attempt to establish the seats of a strict monopoly at New Brunswick and Nova Scotia, with a view to the supply of the West India Islands, which created a long contest with the United States. At length, measures of a far more liberal character were introduced and carried into effect by Mr. Huskisson, with reference to the commerce of our West India colonies.

Lately we have gone very much further in this direction. By the repeal last year of the navigation laws, I conceive we have entirely put an end to the whole system of commercial monopoly in our colonies. We have plainly declared that, on the one hand, if we require productions similar to those which our colonies produce, we shall be ready to take them from other parts of the world; and on the other hand, we have left the colonists free to provide themselves with the products of other countries than our own, and to impose upon the manufactures of Great Britain equal duties with those imposed on foreign manufactures. It is not my purpose to go into the question whether this new policy is a right or a wrong policy. This, however, is evident, that while on the one hand it has produced much surprise, and in particular cases discontent, in some of our colonial possessions, on the other hand it has led at home to questions as to how the colonies are to be in future managed, and to a question, in some quarters, whether it is desirable to retain our colonial empire at all. I state this latter proposition broadly, though there are various modifications of it in various minds.

Before we enter upon that point it is expedient to examine what has been the increase in several of these colonies, both in population and in wealth under our dominion. I will first take the increase of population, within a very short period, since the peace of 1815, in British North America. The population of British North America in 1816 was 462,250; in 1835, 1,099,904; in 1847, 1,866,891. This account comprises Upper and Lower Canada, Nova Scotia, and New Brunswick, and I am satisfied that at the present moment the population of those regions is not less than 2,000,000.

The population in Lower Canada was, in

1784, 113,000.
1825, 423,630, being an increase in 41 years of 310,630.
1831, 511,922, increase in 6 years, 88,292, or 20 per cent.
1844, 690,782, „ 13 years, 178,860, or 35 per cent.
1848, 770,000, „ 4 years, 79,218, or 11 per cent.

The population of Upper Canada was, in

1811, 77,000.
1825, 158,027, increase of 14 years, 81,027, or 105 per cent.
1831, 234,681, „ 6 years, 77,654, or 48 per cent.
1842, 486,055, „ 11 years, 251,374, or 107 per cent.
1848, 723,292, „ 6 years, 237,237, or 48 per cent.

The population of Upper and Lower Canada was in

1825, 581,657.
1831, 746,603, increase in 6 years, 164,946, or 28 per cent.
1842–4, 1,176,837, „ 13 years, 430,234, or 57 per cent.
1848, 1,493,292, „ 4 years, 316,455, or 27 per cent.

This is the increase in Upper and Lower Canada, and its character may be more adequately appreciated by a comparison with the increase in the population of the United States, which I will give you at the decennial periods in which the regular census there is taken.

The population of the United States was, in

1790,	3,929,827,		
1800,	5,305,925,	decennial increase,	35·01
1810,	7,239,814,	„	36·45
1820,	9,654,596,	„	33·35
1830,	12,866,020,	„	33·26
1840,	17,069,453,	„	32·67

As to the imports and exports of Canada, New Brunswick, and Nova Scotia, in the last few years, the results are not less remarkable:—

The imports in 1835 amounted to £2,730,082
„ 1846 „ 4,052,378

The exports in 1845 amounted to	£1,929,605
„ 1846 „	3,201,992
	Tons.
The shipping entered inwards in 1835,	1,077,874
„ „ 1847,	1,461,295
That entered outwards......... in 1835,	1,025,527
„ 1847,	1,494,634

This, at all events, shows a most remarkable increase both in population and in wealth; and if we go to another test of wealth—the assessment for local taxation in Upper Canada—the result is no less remarkable. This has been the annual amount and value of all articles assessed for local taxation in Upper Canada, under the several assessment laws of that portion of the province:—

	£		£
In 1825,	2,256,874.		
1830,	2,929,269;	increase in 5 years,	672,395
1835,	3,880,994;	„	951,725
1840,	5,607,426;	„	1,726,432
1845,	7,778,917;	„	2,171,491
1847,	8,567,001;	„ in 2 years,	788,084

With respect to another portion of our colonies, in which there is an increase of population of British descent, the facts are scarcely less remarkable. I look now more especially to our Australian colonies. In 1828 they were but two—New South Wales and Van Diemen's Land. Their population was 53,000, and their exports, 180,000*l.* In 1848 the Australian colonies were six, their population had increased to 350,000, and their exports to no less than 2,880,000*l.* This will seem still more remarkable when I state that at the time of the separation from this country of our North American provinces, the whole exports of those provinces did not exceed in value 1,000,000*l.* sterling. In 1836 Port Phillip scarcely existed; in 1846 it possessed 2,000 houses, with a population of 10,000, assessed at 50,000*l.*, and the whole population of the district was 30,000. Again, South Australia, which at first, owing to some error, got into great pecuniary difficulties, has since made such extraordinary progress that in the course of ten years its population increased to 25,000, and the exports rose in value to 300,000*l.* I state these facts to show that with reference to a large class of colonies under the dominion of this Crown, there has been a marked increase in population and in wealth—to show the value of those relations on which so much discussion has taken place, the course of which has developed, I must think, in some persons a very superficial knowledge of the subjects.

I will now proceed to colonies which have undergone two very severe trials, the very consequence of the great advantages which they peculiarly derived from those laws of commercial monopoly which this country till lately maintained as part of its system, and the alteration of which subjected these colonies—I refer, of course, to our West India colonies—to changes which, in the view of some parties, involved their certain ruin. The great social change there from slavery to freedom, however much it might be demanded by the rules of justice and the precepts of Christianity, might well be supposed to lead to a diminution of industry in those colonies, and more especially of the more irksome and painful descriptions of labour. Again, the changes which took place in late years—first admitting foreign free-labour sugar, and then admitting foreign slave-labour sugar — exposed these colonies to a very severe trial. Yet if the House will attend to a few figures, exhibiting the imports of sugar, first, from our West India colonies, and then generally from the British possessions abroad, they will have much reason to see that the West India colonies have undergone the trial with far more success than might have been expected.

When I speak of the British possessions, of course it is to be borne in mind, that, had the monopoly been maintained, the West Indies would have had to compete with the Mauritius and the East Indies. Taking these three years, 1815, 1816, 1817, before any of these changes took place, I find that the West Indies furnished for consumption in this country an average of 2,947,824 cwt. of sugar: in the three years, 1830, 1831, 1832, before emancipation took place, an average of 3,895,820 cwt. In the three years, 1843, 1844, 1845, before the great change of the sugar duties, 2,645,212 cwt. of sugar: and in the three years, 1847, 1848, 1849, after both had been in operation, 2,807,667 cwt. If you compare the first amount I read to the House with the last, you will see the change has been from 2,947,824 cwt. to 2,807,667 cwt.—a much less diminution of the quantity of sugar consumed in this country from the West Indies than, I think, any one expected previously to the great changes which have been made. But if we take the whole amount received from the British possessions, the account stands thus:—The average quantity of sugar imported in the three years from 1815 was 2,982,608 cwt.; in the three years from 1830, 4,004,185 cwt.; in the three years from 1843, 4,327,054 cwt.; and in the last three years, 1847, 1848, and 1849, no less than 5,058,755 cwt.; being an increase of more than 2,000,000 cwt. over the quantity of sugar from the British possessions consumed in this country in 1816. Now, considering the severe trials the colonies have had to undergo, I do say that this is a most satisfactory account of the state of the British possessions, so far as the production of a very valuable article is concerned.

Having shown the increase which has taken place in this branch of commerce with our colonies since 1815, I come now to a question which has been much agitated, and which has found supporters of very considerable ability—namely, that we should no longer think it worth our while to maintain our colonial empire. I say, in the first place, with regard to this proposal, that I consider it to be our bounden duty to maintain the colonies which have been placed under our own charge. I think we cannot get rid of the obligation and responsibility to govern those colonies for their benefit, and I trust we may be the instruments of improving and civilising those portions of the world in which they are situated. In the next place, I say that there are many reasons why we should consider that our colonies form part of the strength of the empire. I think that, in peace as well as in war, it is a question of the utmost importance whether we should retain these supports of the imperial authority of this country, or whether we should be deprived of them.

I would observe, further, that there are in some of these colonies native races which we have been able, in a certain degree, to civilise, and which we have brought in order and subjection to authority. There is now in one of our recent colonies a most remarkable race, I mean the population of New Zealand, which not many years ago was given up to practices the most abhorrent to humanity, but which, from intercourse and communication with our countrymen, appears to be far more capable of civilisation than almost any of the savage races with which we have come in contact. There is also another race, the natives of the district of Natal, in Africa, which shows every sign of docility and fitness for learning the arts of civilised life. There are other people, also, who, if they were abandoned by us, would undoubtedly relapse into their savage habits, and who would probably commence a war of races with the few Europeans who would be left in command of them; and we should thus give up parts of the world which have been reclaimed from barbarism to most cruel and desolating warfare.

But there are other matters relating to the imperial authority, and to the security of this country, which cannot be lost sight of in considering the value of our colonies. Every one will admit the value of that commerce which penetrates to every part of the globe; and many of those colonies give harbours and security to that trade, which are most useful in time of peace, but are absolutely necessary in time of war. I think that the persons who talk about giving up the colonies, without much investigating the subject, do not consider what would be the probable result with respect to a great number of those colonies. It is easy to say, that because the United States have formed a prosperous, and civilised, and free community, and that because they are not only great customers for our goods, but also receive our emigrants, other colonies might take the same course with equal advantage. But many of our colonies would be wholly unable to do so, not having the means of preserving anything like independence or security amidst the savage races by which they are surrounded. What, then, would they do? If they were abandoned by Great Britain, they would most naturally and justly apply to some other country for protection. The Cape of Good Hope would apply to Holland; the Mauritius to France; other colonies would apply to other States, and they would say, "We have been abandoned by those to whom we were bound by allegiance; protection is now taken from us, and we ask you to become our protectors, and to receive our allegiance." Who can doubt that other countries would readily afford the protection so asked, and that they would become strong on what would be our weakness?

Sir, if this scheme is not consistent either with our honour or with our policy, there are others which have been proposed which I think equally objectionable. One is, that we should altogether abandon any share in the government of our colonies, and that we should likewise refuse them any means of defence. I think, Sir, that such a system would very soon lead to the same result as the proposal I have just noticed. These colonies would say, "If we are not to be defended—if we are to receive no support from Great Britain—let us look for other protectors; let us ask other States if they will assist us with their arms, and protect us against any attacks which may be made upon us."

Another scheme which has been proposed is, that a certain description of laws adopted by the colonial legislatures should require the assent of the imperial authority, but that, with regard generally to the acts of the colonial legislatures, no such sanction should be requisite; and that a line should be drawn between those laws which require the assent of the Crown, and those which should be enforced without such assent. Now, Sir, I do not believe that it is possible to draw any such distinction. I think we had a strong proof of this in the debates which took place last year with respect to a measure which was passed by the House of Assembly, by the Legislative Council, and by the Governor of Canada. It was asserted in this House that that was a measure which ought not to receive the assent of the Crown, and that Her Majesty ought to reject it, although it had been affirmed by all the Canadian authorities. The Government, on the other hand, maintained that it was a matter of local government, and that the will of the colony, expressed deliberately by the legislature, ought to be affirmed. I do not wish to revive that contest. I may say, however, that my opinion is very strong that it was a matter for the local authorities to decide; but I mention this as an instance of the difficulty there would be in drawing a precise line, and to show that any attempt to draw such a line would be most likely to raise disputes as to whether a particular law came within, or stood without, that line. I believe that any man acquainted with the administration of the colonies, will come to the conclusion that it is only in rare cases that the authority of the Crown ought to be interposed; and that, with respect to local affairs, the executive and legislative authorities of the colony are the best judges.

Upon this subject, however, I may say that there was an interference during many years, which, whether necessary or not, provoked a great deal of irritation in a large number of the colonies, but which is now entirely removed. I allude to the interference of the Imperial Government in certain of our colonies, first, with respect to slaves; next, with regard to apprentices; and, lastly, with respect to the black population when they were first permitted to enjoy the blessings of freedom. It was thought by the Executive Government, and their proposal was agreed to by this House, that certain rules should be laid down for the management of slaves, and especially that certain modes of discipline and punishment, which the West Indian planters deemed necessary for the management of those slaves, but which the people of England considered cruel and barbarous, should not be permitted. Afterwards, when the slaves became apprentices, the laws passed by the Imperial Parliament, were strictly carried out; and there was a constant jealousy on the part of the people of this country, which naturally reached those who had the conduct of colonial affairs, lest by means of certain laws to prevent depredations, and to establish a rural police, those who had been recently emancipated by a great sacrifice on the part of the English people should again be brought into a state of slavery. It so happened that when I was at the Colonial Office these measures of jealousy and restriction on the part of the Government of this country were still going on; and Lord Metcalfe, who, in every part of the world in which he served his country showed his good sense and capacity, wrote to me, and said in substance, "You need no longer be in any fear with respect to the labourers of Jamaica, because, so far from its being a case of labourers looking for employment, the fact is that the employers are endeavouring at very great pains and expense to entice the labourers to work." These measures of precaution, and these symptoms of jealousy, soon afterwards ceased; and although interference continued for a considerable time, I believe that there exists no longer any dissension on this head between the Government at home and the colonial legislatures.

Returning again to consider this subject, I think it is absolutely necessary that the Government and the House should determine and declare what are the principles upon which they will hereafter proceed. If, as I firmly believe, it is our duty to maintain our great and valuable colonial empire, let us see that those principles are sound which we adopt in our colonial administration; let us see that they are likely to conduce to the credit of this country, and to contribute to the happiness and prosperity of our colonies.

With regard to our commercial policy, I have already said that the whole system of monopoly is swept away. What we have in future to provide for is, that there shall be no duties of monopoly in favour of one nation, and against another, and that there shall be no duties so high as to be prohibitory against the produce and manufactures of this country. I think we have a right to ask this in return for the protection which we afford to the colonies.

I now come to the question, as to the mode of governing our colonies. I think that, as a general rule, we cannot do better than refer to those maxims of policy by which our ancestors were guided upon this subject. It appears to me, that in providing that wherever Englishmen went, they should enjoy English freedom, and have English institutions, they acted justly and wisely. They adopted a course which was calculated to promote a harmonious feeling between the mother country and the colonies, and which enabled those who went out to these distant possessions to sow the seeds of communities of which England may always be proud.

Well, Sir, let us see how we stand on this subject. I have here a declaration with regard to our colonial policy, signed by a number of Gentlemen, comprising, I think some twelve or fourteen Members of this House, and some three or four Peers, Members of the other House of Parliament. I think the course taken by these Gentlemen, of forming themselves into an association, and corresponding with the colonies, is a measure of very dubious policy. I conceive that, in their character of Members of the House of Commons, or of the House of Lords, they might fairly declare what were their views and opinions, and that they might call upon the Government either to agree to, or to show reasons for dissenting from, the policy they recommended. If they had done that, I certainly should have made no complaint of their proceedings, nor do I now wish to enter further into that subject. I observe that with regard to general principles, having expressed sentiments not very different from those I have just stated, they proceed to say—

> "The council are therefore of opinion, that it is right and expedient to delegate to all the British colonies, whose population has been mainly formed, or is being still augmented by emigration from this country, full authority to administer their own affairs. That the colonies which are at present entitled to self-government, are the North American colonies, the South African colonies, the Australian colonies, Van Diemen's Land, and New Zealand. To these colonies the council have determined to limit their operations in the first instance."

Now, I will take these colonies in the order in which the association has mentioned them, and I will state what has been and is the policy of the present Government with regard to them. Of the North American colonies I will take, in the first place, Canada.

Up to 1828 there were very grave dissensions between the Ministers of the Crown in this country and the Canadian people. The Government of this country thought themselves justified in applying the taxes of Canada without the authority or consent of the inhabitants of the colony. Mr. Huskisson proposed an inquiry into that subject. Parliament, for a long time, turned its attention to the matter. Commissions were sent out; Committees were appointed; but, in the end, an insurrection broke out in Canada, and blood was shed both in the Upper and Lower Provinces. The Government of which I was a Member thought it necessary, for a time, to suspend the constitution of the colony. We afterwards proposed the union of the two provinces, and also to give the colony ample powers of legislation. In establishing that kind of government in so important a province, a question arose which, I trust, has been solved to the satisfaction of the people of Canada, although it is one which could not be solved in the same manner in a province of less importance, and of less extensive population. The popular party in Canada, proposed that they should have what they called responsible government —that is to say, that not only should there be a legislature freely elected, but that instead of what had become the custom, that the Ministry should be named by the Governor General totally irrespective of the prevailing opinions of the Legislature, they should be taken from that party in the Assembly which was supported by a majority. That plan was adopted. During the time that Lord Glenelg held the Colonial Secretaryship, Mr. Baldwin, who I believe is now in office in Canada, came to this country. Lord Glenelg informed me that, for particular reasons, he could not see Mr. Baldin, but he wished me to see him, and to hear his statement. I met Mr. Baldwin. My opinion when I met him was, that I should very widely disagree with him, and his opinion probably was that he would very widely differ from me; but, after a long conversation, and mutual explanations, we came to a result which was one of nearly entire agreement with respect to the government of Canada. That government has been conducted of late years in conformity with what Her Majesty's Ministers believe to be the opinion of the people of Canada. When Lord Elgin saw that the Ministry he had found in office had narrow majorities in the Assembly, he proposed either that they should continue in office until they were obstructed by adverse votes, or that they should dissolve the Assembly. They preferred to dissolve the Assembly. The new Assembly which was returned gave a great majority to their adversaries, and Lord Elgin placed their adversaries in office. I do not think that it would be possible to carry out more fairly, or more fully, the principle of allowing the province to manage its own affairs.

I have, however, seen bitter complaints on this subject; and I have seen that some persons have even gone the length of proposing that, instead of remaining subject to Her Majesty, the province of Canada should be annexed to the United States. To that proposal, of course, the Crown could give nothing but a decided negative; and I trust, although such a suggestion has been made, that, from the characters of several of the gentlemen who are members of the Association, it is not their intention to push their project of joining a neighbouring State to the ultimate result of endeavouring by force of arms to effect a separation from Great Britain; but that, knowing the determined will of the Sovereign of this country, and of Her advisers, not to permit that project to be carried into effect, they will acquiesce in the decision of the Crown. I wonder, at the same time, that any persons who profess loyalty to the Sovereign should have entertained a project which, if unfortunately any international difference occurred between this country and the United States of America, might have placed them in a position of raising their arms against British authority, and of fighting against the British flag. Such, then, is the condition of Canada. If the present Ministry in Canada are sustained by popular opinion — and I believe the late elections that have taken place in the recess in Canada rather show that they will be—if they are sustained by public opinion, and by the Assembly, they will remain in office; if, on the contrary, the opinion of the province shall be adverse to them, the Governor General will take other advisers, and he will act strictly according to the rule that has been adopted here.

With respect, likewise, to Nova Scotia and New Brunswick, no very long time ago the Executive Council was the same body as the Legislative Council, and there was no separate Legislative Council; but —I think it was when Lord Glenelg held the seals of office—a change was made, and the councillors have been chosen, if not from a particular party, in such a manner as to conciliate the opinion of the province, and to command the support of a majority of the Legislature in Nova Scotia and for New Brunswick. We have not heard of late years of those unhappy dissensions which used to prevail when the Executive Councillors of the Government found themselves in a small minority in the Assembly. With respect then to Canada, Nova Scotia, and New Brunswick, the principle which this Association wishes to have carried into execution has been carried into execution; and I should say that the consequence has been, and must be, that there have been far fewer questions brought before the Secretary of State than there used to be. In regard to many questions of official conduct or misconduct, with regard to many local affairs in which it could be nothing but a difficulty and embarrassment for the Colonial Secretary to be called upon to decide, he is not obliged to say a word; they are settled in the province; the Governor informing him of the facts, if he thinks they are of importance. The government is carried on therefore with less resort to this country than used to be the case.

I will now advert to the South African colonies. The chief of these is the Cape of Good Hope. With respect to the Cape of Good Hope, there has been, of late years, a discussion with regard to the introduction of representative government. Lord Stanley had that question under his consideration; and without at all refusing the introduction of representative government, he pointed out many difficulties which had to be considered before the decision was ultimately come to. Those difficulties, and indeed every topic connected with the subject, have been discussed in the Cape by the Governor and his advisers, by the Colonial Secretary, the Chief Justice, and others, who are fully competent to form an opinion from their general knowledge of the principles of the Government, and likewise from their local knowledge of the interests of the colony; and the result is, that Her Majesty's Government have come to the decision that representative institutions shall be introduced at the Cape. With respect to the representative assembly, they have adopted a franchise, into the particulars of which I shall not now enter, for the papers are in the hands of Members, enabling them to judge of the proposal; a representative assembly will be chosen by persons having a certain amount of property, and qualified in the manner which has been specified. But a question arose as to the formation of what is called in other colonies the legislative council; and, upon the whole, Her Majesty's Government came to the opinion, that, instead of imitating the constitution of Jamaica, or that of Canada, it would be advisable to introduce into the Cape of Good Hope a council which should be elective, but elected by persons having a considerably higher qualification than that of the electors of the representative assembly. These, it was considered, might be persons who had been named by the Crown as persons of weight and influence, as magistrates and others, or persons who had been selected by municipal councils as persons entitled to the highest offices which they could confer. It is proposed that the representative assembly should have a duration of five years, and the legislative council a duration of ten years, but half to resign their seats at the expiration of five years. Something like a constitution of this kind, though differing in some very remarkable particulars, is now in operation in Belgium, where, instead of having a hereditary council, there is an elective council, which, I think, has a duration of eight years, half being elected at the expiration of every four years. Of course this experiment is new, and it would be presumptuous to say that it will entirely succeed; but the Order in Council having been passed for the purpose of its introduction, that Order, and the instructions founded thereupon, will be sent out to the Cape; and any amendments with regard to the details which have been settled here may be considered at the Cape before the measure obtains a final sanction.

Sir, the next colonies to which these gentlemen refer, are the Australian colonies, Van Diemen's Land, and New Zealand.

Now, with regard to Australia, the Bill which I have to ask that the Chairman should obtain leave to bring in, will propose legislation by Parliament upon that subject. The measure which I propose, and which is nearly the same as one that was proposed last year, goes not on the principle of having a council and assembly, as hitherto, in imitation of the Government of this country, has been usually the form most palatable and popular in our colonies; but it is proposed that there should be but one council, a council of which two-thirds shall be formed of representatives elected by the people, and one-third named by the Governor. The reason for adopting this proposal is, that after a great deal of deliberation, that plan was adopted some years ago, and, I think, was finally enacted by Parliament in 1842. Since that time, the scheme has been found so far acceptable to the people of New South Wales, that upon the whole, so far as we could ascertain their sentiments, they appear to prefer that form of popular government to that which is more in analogy with the Government of this country. ["Hear, hear!" *and* "No!"] Well, for my part, I can only say that we have been anxious to adopt that form which was the most agreeable to the views of the colony, and that, if in New South Wales there had been a clear and prevalent opinion that it was advisable to leave their present constitution, and to adopt the form of council and assembly, the Government would have been quite ready to take that course, and that the Committee of the Council, to which this question was referred, would have proposed that constitution.

I should say, speaking upon that subject, with regard to these questions of colonial government, that upon all the great principles of government, and which are to decide with respect to the welfare of the colony for a considerable time to come, as well as with regard to questions in which there is any peculiar difficulty, my noble Friend the Secretary of State for the Colonies considered it advisable to refer these questions to a Committee of Privy Council, on which my Lord Campbell, Sir Edward Ryan, and my right hon. Friend near me, the President of the Board of Trade, have constantly sat, and given their mature attention to the subject. I believe that that is a very advisable plan, and that it enables the Secretary of State to discuss with others the various reasons for the propositions that may be made, and ultimately to come to a better decision than if he had to decide alone upon questions of this order. But, when we propose that this shall be the form of government for New South Wales, I should add that we propose likewise to give the colony the power of altering their own constitution in that respect, and that if it should be their opinion that they had better resort to a government by legislative council and assembly, there would be no objection on the part of the Crown to the adoption of that course.

With respect to other matters, there is a change, though not a very considerable change, in the Bill as it was first proposed last year; for we then proposed that the customs' duties which now prevail in New South Wales should be enacted by Parliament for the whole of the Australian colonies, and should be binding till they were altered by the proper authorities. We have thought that although it is a most desirable object that the customs' duties should not vary in the different Australian colonies, it is not advisable to enact that uniformity by authority of Parliament, but that it is better to leave them to settle for themselves whether they will not adopt a similar tariff for all the various parts of Australia.

We propose that the Port Phillip district shall be separated from New South Wales, and that it should likewise have its council; and that there should likewise be introduced in Van Diemen's Land, where it has not existed before, a popular element into the Legislative Council, forming that council upon the same principle as the others, and that in South Australia there should be a similar body.

We propose, likewise, that on the proposition of two of these colonies there should be an assembly of these different Australian councils, that they should have the power of framing the same tariff for all, and that they should have various other powers which we think might be found useful, to pervade the whole of these colonies. To that body, likewise, we propose to refer the power of dealing with that question, which is so important to our Australian colonies — the price of the waste lands. After many arrangements upon that subject, Parliament enacted, in 1842, that 20*s.* an acre should be the price fixed for waste lands in New South Wales and the Australian colonies, and that that price should not be capable of alteration. It appears to us that it would be a great mischief that that price should be altered in one of those colonies, and remain the same in the others; that there should be a bidding by one colony against another for the purpose of procuring immigrants, very much depreciating the value of waste lands, and we therefore propose that if an alteration should be made, it should be an alteration that should extend to the whole.

I do not know that I need enter further into the description of this Bill, because the Bill itself was in the hands of Members at the end of last Session; as I have said, there are no great alterations from what was then proposed, and in a few days I trust Members will again have the Bill in their hands, and they can canvass its contents. But I have stated enough to show that both in the North American colonies and in the Australian it is our disposition to introduce representative institutions, give full scope to the will of the people of those colonies, and thereby enable them to work their way to their own prosperity far better than if they were controlled and regulated by any ordinances that went from this country.

With respect to New Zealand, we began very soon, in 1846, showing at least a disposition for representative institutions; showing, perhaps, too much haste in the manner in which we adopted them; but we began by enacting a Bill for the purpose of introducing representative institutions in New Zealand. The very able Governor of that colony pointed out the difference which exists between the native race of New Zealand and any of those native races with which the British people had hitherto had to deal, whether in North America, whether at the Cape of Good Hope, or whether in New Holland and Van Diemen's Land. He pointed out their capacity for civilisation; he pointed out how ill they would brook the interference and government of a small number of persons of the English race, who should have the sole legislative authority over them. His objections, when they reached this country, were felt by my noble Friend and by the Government to be founded in reason—founded in his knowledge of the people among whom he dwelt, and whom he was commissioned to govern; and we therefore proposed to suspend that constitution. The Governor now writes that he has introduced a Legislative Council in the southern part of New Zealand; he writes also that it is his opinion that at the expiration of the term fixed by Parliament, representative institutions can safely and usefully be introduced into New Zealand. Therefore, believing his opinion to be well founded, we propose only to wait for any further representations from him as to any alterations that should be made in the Act which passed with respect to New Zealand; and with regard to time, to introduce those alterations, that the constitution may be put into operation at the time which has been already fixed by Parliament.

I believe I have now gone through all the colonies for which the gentlemen of this Association, who are called "The Council," think it necessary to claim free institutions. They say—

> "They abstain for the present from offering any opinion as to the government of those dependencies in which the mass of the population is composed of the coloured races, such as the West India Islands, Mauritius, and Ceylon; and they consider that military stations, such as Malta, Gibraltar, &c., ought not to be considered colonies, and need not necessarily be governed as such."

Now, I must say, whatever may be the justice of the opinions contained in the former part of their representations, that they show great moderation in the views they thus express. I will, however, state, with regard to some of the West India Islands, and some other colonies, what has been done, and is proposed to be done.

With regard to those colonies which I mentioned in the commencement of what I addressed to the House—Barbadoes, and Jamaica, and the older West Indian colonies—they have for a long time enjoyed a government by Council and Assembly; and although such institutions led from time to time to differences between the Governor and the Assembly, I do not think with regard to them there is likely to be any permanent disagreement or any evil result. It is evident, with regard to Jamaica, for instance, although the Assembly was lately disposed to press an immediate reduction in the Judges' salaries, which we could not think to be just, yet that the very reasonable opposition made in the Council, and the able speech of the Chief Justice, have produced a great effect in that island; and it does not appear that they will press any great reductions but those they can make with justice. I believe the reduction already made will amount to about 70,000*l.* on the expenditure of the island.

With regard to another colony, with respect to which there has been an examination by a Select Committee of this House—with regard to British Guiana—when Mr. Barkly was about to proceed to take the government of that island, I begged to see him; I told him that from my impression, both at the time I was at the Colonial Office and since, I thought that the government of the colony was placed in the hands of a species of oligarchy; that I did not make any alteration when I was Secretary of State, seeing that the change from slavery to freedom had lately taken place, but that I begged his instant attention to the subject, and that he would inform me whether he did not think the constitution might be amended — and, above all, that there should be a wider basis for the financial council of the island. I will not detain the House with references to the College of Kriegen Combined Court, the Court of Financial Representatives, or other bodies, but will only say that I received a very able letter from Governor Barkly upon the subject, and that, so far as the extension of the franchise is concerned, he proposed that there should be an extension, and he carried a measure for that purpose. New elections have taken place, and, though the electors have not been so numerous as it is expected they will be hereafter, there was a much greater body of electors than has ever been the case before.

A question has been raised with regard to the salary of the Governor of Guiana; and this, I think, is an instance how difficult it is for gentlemen to carry into effect the principle they are quite ready to assert, namely, that the colonies ought to be allowed to manage their own affairs, and that without a clear and absolute necessity we ought not to interfere in that management. The salary of the Governor is 5,000*l.* a year; it is a question with the colony whether it ought to be continued at the same amount. The Government has said it is for them to dispose of that question. Many might say—if I were an inhabitant of the colony I should be disposed to say—that, having a considerable expenditure, it is far better to give a sufficient salary; that they are more likely to obtain men to undertake the affairs of the colony who are competent for the task, by giving a large and liberal salary, than if they make a narrow limit to the amount; others might say that the salary is excessive, and ought to be considerably reduced. But this I think is clear, that as it is an expenditure from the funds of British Guiana, it is for the representatives of British Guiana, and not for the House of Commons, to prescribe the amount of that salary. Yet, though that is the case, I hear gentlemen who are entirely for leaving colonies to manage their own affairs, declare that whether the representatives of the colony wish it or not, there ought to be a certain amount fixed according to their own notion of what may be proper for the Governor.

With regard to other changes in the colony of British Guiana, although Mr. Barkly is of opinion that in time other changes might be introduced, I do not believe that he intends immediately to propose them. He thinks the changes ought to be gradual—that with a population that not long ago were slaves, and among whom there is often considerable excitement, it is advisable gradually to alter institutions, and introduce more freedom.

With regard to Trinidad, Lord Harris, the Governor, writes word that there are no less than seven races constituting the inhabitants of that colony; and that though, for his own part, he thinks it would be difficult to have any general popular representation, yet he thinks, and justly thinks, that to say because the people may be unfit for popular institutions at present, and you decide not to introduce them—you would, therefore, not take a step in advance, would be to interpose a continual bar to their obtaining them. He, therefore, proposes there should be a municipal council at the seat of government, and that they should be elective. He considers there would be advantages derived from the formation of such a council, and gives various reasons which I need not mention, why it would not be expedient to go farther at present.

With respect to the Mauritius, Sir G. Anderson thinks there should be a municipality appointed, which should be elective.

With respect to Malta, again, the present Governor has done what many persons would have thought unadvisable in Malta—but which does not appear to have been so—namely, he has introduced some elective members into the Council. As for the other colonies, I need not go into any question of free institutions for them. I do not think there is a single one which can be mentioned beyond those I have named which should at present have any representative institutions.

I come, therefore, Sir, to another question—a question of very considerable importance as refering to the colonies, but which is not in itself solely and strictly colonial. I mean the question of transportation. It was decided in 1786, to found a penal colony in New South Wales; and measures were taken for that purpose, and a certain number of convicts were sent out to a place where there was no other population. There were no free settlers with them, and hardly a sufficient number of persons to assist them with respect to religious instruction.

Now the plan of transportation must be considered altogether as one which concerns the Parliament of this country, as far as legislation is concerned—as one which concerns the Home Secretary far more than the Secretary for the Colonies, so far as administration is concerned. So far as my noble Friend the Secretary for the Colonies is concerned, he would, I am sure, be well satisfied if he were told there should be no more convicts sent to the colonies, and that transportation was abolished; but inasmuch as Parliament has decided—and decided more than once—that transportation is to continue, it is for him to endeavour that that transportation should take place in a manner least injurious to the colonies. That it is the wish of the Parliament and the country to continue this system, I think I am entitled to say, because having no great leaning to transportation, and not much approving of the punishment, when I attempted, about 1840, to diminish the number of convicts sent abroad, a resolution was passed by this House affirming that so large a number of convicts should not be kept in this country. I say further it is the wish of Parliament, because when the two Secretaries of State gave their opinion in writing with respect to the diminution of transportation, a Committee was appointed in the other House of Parliament, and various Judges of the land were heard in support of the system of transportation as being necessary for the due execution of the criminal law of the country. Now, if this be the case, until that view be altered, the Colonial Secretary must endeavour to carry that system of transportation into effect in the manner which may enable the colonies to derive as much advantage, with as little injury as possible.

When I held the seals of the Colonial Office, I became acquainted with the mischief transportation has done in New South Wales; and I advised Her Majesty accordingly, and obtained an Order in Council to put a stop to transportation; and there is no act of mine, while I was in the Colonial Office, to which I look with greater satisfaction than having done so. I believe that the change which has taken place in the character of New South Wales—that the altering it from a colony of which one-half the inhabitants were convicts, and no inconsiderable portion of the other half were "emancipees," as they were called, or persons who had been transported, to a colony of free people, was of the greatest advantage to the province. I believe there are at present in New South Wales 200,000 inhabitants, and only 6,000 of them are convicts. Whatever number of convicts may be introduced in future, if the inhabitants wish it, it is evident the whole character of the community has been so changed that it has become a free community, and has taken its place among the free colonies of this country.

But when I made the change I had in view to diminish very considerably the total number of convicts. That change, owing partly to the disposition of Parliament, and partly to the Government which succeeded us, did not take place. A large number of convicts were accordingly sent to Van Diemen's Land. The noble Lord at the head of the Colonial Department in the Government which succeeded us, found, however, that too many convicts were introduced into that colony, and proposed to suspend transportation to Van Diemen's Land; a measure which was carried into effect by the present Government.

The present Government, on coming into office, proposed various alterations with respect to the system of transportation, and proposed, likewise, that in cases where colonies were willing to accept of a small number of convicts, they should be sent to those colonies; it being always understood that convicts should not be forced on them against their will.

It happened that, among the causes of pressure which arose out of the famine in Ireland, there sprung up a very great pressure from the large number of persons sentenced to transportation, the crowded state of the gaols, and the mortality taking place in consequence in these gaols. My noble Friend the Secretary of State for the Colonial Department, on those representations reaching him, thought he would be justified in sending 300 of those persons who had committed crimes owing to the pressure of the famine, and had been sentenced to transportation, from the Bermudas to the Cape of Good Hope, and that if he did so they would be received by the inhabitants. It appears that a feeling—and a feeling I highly commend in itself—a feeling of fear and apprehension that the colony might be made a penal settlement—founded on what I think exaggerated apprehensions with respect to the introduction of these 300 convicts—sprung up at the Cape of Good Hope, and that there has arisen a most unfortunate state of things there. The order, authorising transportation to the Cape, has been rescinded by the Queen in Council; instructions have been sent out for the ship to proceed to Van Diemen's Land, and all sources of apprehension and opposition will, I trust, cease in the removal of all grounds for them.

I do not wish, of course, to enter into any discussion with respect to the merits of that opposition—I wish, indeed, to touch as little matter of a personal nature as possible, and neither to take credit to the Government, nor to evade censure, for what they have done, only stating what has already taken place, and so much of past transactions as may enable the House to see what course they have followed, and what will be the future policy of the Government.

With respect to the future management of transportation, it is a subject not without considerable difficulty. The legislature of New South Wales has already intimated its desire not to accept any more convicts, while, at the same time, when a ship laden with convicts—[Mr. HAWES: Two ships,]—or, as my hon. Friend near me informs me, when two ships laden with convicts arrived there, the services of those convicts were immediately in demand—and, indeed, they were hired more easily than the free emigrants. But it must be expected that there will, more and more, arise among the settled colonies an aversion to transported convicts; and this House will, I am persuaded, have to consider, before long, whether an alteration shall not be made with respect to the punishment of transportation as regards some classes of offences not of the gravest character.

That question, however, does not immediately press on us. There is another question of the very greatest consequence, and which some persons, indeed, have regarded as the main point to be considered with respect to the colonies. I mean the question of emigration. Now, with regard to this subject, there are two modes in which emigration can be carried on, and two modes in which it can be carried on beneficially. The first is where labourers, whose labour is valuable in certain States and colonies, go out in numbers to those States and colonies, and fill up, as it were, the interstices of society—whose labour is much in demand, and who, from being in this country persons on the brink of destitution, and scarcely obtaining any employment, though ready to give their toil for the smallest pittance, obtain high wages and ample subsistence in other countries. Of emigration of this kind there has been a very great mass directed to the United States and the British North American colonies.

There is the second kind of emigration, which is formed of different classes of the people, for the purpose of founding new colonies in places where English and European society does not already exist. Of this kind, likewise, there has been a very considerable amount going on from this country.

As regards emigration of the first kind, I have here some accounts which have been furnished to me by Mr. Murdoch, who is now at the head of the Emigration Board, and it appears from them that the total emigration from these kingdoms for the last three years was 796,354 persons; giving an average of 265,450 per annum. Now, I beg the House to consider how very large this emigration is. It is within 40,000 or 50,000 of what has been computed as the whole annual increase of the population of this country; and though it has been, no doubt, magnified in one or two of those years by the famine which took place in Ireland, yet I consider that as regards this first sort of emigration—namely, that which consists of labourers, and principally going to the United States and British North America — it is an emigration which we may look to see continue for many years. I believe that the means which the labouring classes have found for themselves, of transmitting money home to their relations and friends, to enable them to emigrate, when they have obtained a sufficient sum from their wages, is likely to continue, and to furnish the means of a great expenditure for the purposes of emigration.

I do not believe that the time will speedily arrive when there will be no great demands for labour in the United States and British North America. The difficulty which existed hitherto was that of finding means of transportation, and of enabling persons almost destitute here, and obtaining no demand for their labour, to get a position in other countries, where they could obtain that demand.

I do not believe that any Government scheme could have been so extensive as to effect that purpose; nor do I believe, that, if it had been so extensive, it would have effected the purpose in the same way as this voluntary emigration. In the first place, if you laid out a hundred, or two or three hundred thousand pounds for that object, it would, no doubt, have been a very large sum; but I believe the sum which has been expended for the purpose, in the way I have mentioned, in one year, has been no less than 1,500,000*l.* sterling. Now, I believe, if you had laid out 1,500,000*l.*, you would have found every species of abuse; you would have carried many persons from this country with false characters, and they would have been found such a curse by the United States and by our own provinces, that these countries would soon have put a stop to it, and have said—"Don't send to us the idle, the halt, and the crippled—the mere dregs of your population. If such is the character of your emigration, we must interfere and check it." That, I believe, would have been the consequence of any great plan of emigration carried on by the Government.

I do not mean to say that in some cases, and under some particular circumstances, assistance should not be given by the Government, but what I say is this—that seeing the people have found out for themselves that by transmitting small sums of money they are able to bring over their wives, relations, and children to countries where their labour is of value, that it is better not to interfere by a Government plan, which beside being a burthen on this country, from the sum taken from the taxes, would be in other respects a positive evil.

There is another species of emigration; and it is that which is sent out to our Australian colonies. It is an emigration of the second description to which I have alluded, and which goes very much to found new settlements, or to increase the new settlements lately established there. It appears that in 1848 and 1849 emigration of this kind furnished 39,000 persons, or rather more than 19,000 a year. In New Zealand also there has been a project started for forming a new settlement, called the Canterbury Settlement. There are, however, already more than 12,000 Europeans in New Zealand, and I feel no doubt that there will be in a very few years a large emigration to that colony, and that New Zealand will be one of the most flourishing of our dependencies. I think, therefore, that as regards emigration generally speaking, and with, as I said, a reserve as to any particular measure and particular districts, we may look with satisfaction to the present state of this question, and that we may consider one of the great wants of this country—that of finding a vent for the increasing population—will be fully satisfied, without at the same time doing that of which I was apprehensive, and sending out people to colonies where their labour is not in demand, and where their condition would be still worse than it was in the country from which they came.

I have now stated the principal points, and indeed nearly the whole, of the question, of which I wished to put the House in possession with respect to colonial government. I have not attempted to do more than to give leading facts with regard to many important questions, each of which might furnish matter of discussion for a night's debate. I thought it might be useful for the House to have, however imperfectly, a sketch of the general state of the colonies and of the propositions we are about to ask you to agree to, as well as the measures already carried into effect.

The whole result of what I have to say is, that in the first place, whatever discontent—and, in some places, well-founded discontent, it must be owned—has arisen from a transition painful to the colonists, from a system of monopoly, as regards the colonies, to a system of free trade, we ought not to attempt to go back, in any respect, from that decision, but that you shall trade with your colonies on the principle that you are at liberty to obtain productions from other countries where they may be produced better or cheaper than in the colonies, and that the colonies should be at liberty to trade with all parts of the world in the manner which may seem to them most advantageous. That, I say, must in future be a cardinal point in our policy.

The next point, I think, is, that in conformity with the policy on which you have governed your British North American colonies, you should, as far as possible, proceed upon the principle of introducing and maintaining political freedom in all your colonies. I think whenever you say political freedom cannot be introduced, you are bound to show the reasons for the exemption, and to show that the people are a race among whom it is impossible to carry out free institutions—that you must show the colony is not formed of the British people, or even that there is no such admixture of the British population as to make it safe to introduce representative institutions. Unless you can show that, I think the general rule would be that you should send to the different parts of the world, and maintain in your different colonies men of the British race, and capable of governing themselves; men whom you tell they shall have full liberty of governing themselves, and that while you are their representative with respect to all foreign concerns, you wish to interfere no further in their domestic concerns than may be clearly and decidedly necessary to prevent a conflict in the colony itself.

I believe these are the sound principles on which we ought to proceed. I am sure, at least, they are the principles on which the present Government intends to proceed, and I believe they are those which in their general features will obtain the assent and approbation of the House. Whether on particular questions the House may not dissent from us—whether, with respect to the details of the Bill I propose to introduce, they may not come to a different opinion from us, is a question on which I do not now wish to enter; and certainly I shall be glad if a better mode and better details be pointed out with regard to some of those measures. But what I say is, we should not be considering whether we should part with those colonies—whether we should make the connexion looser—or whether we should even leave them with less means of defence against foreign aggression.

With respect to the question of military force, indeed, I shall reserve the discussion of that to a future occasion, when it will be more immediately before the House. With respect to some of our colonies, my noble Friend the Secretary of State has stated that he thinks the force now existing might be safely diminished. But I believe these colonies will look to you for their defence in any foreign war, or against any foreign aggressor. And I think you are bound to give it to them. I think also you are bound to maintain the means by which you will be able to give them that assistance.

I believe not only that you may proceed on those principles without any danger for the present, but there may be questions arising hereafter which you may solve without any danger of such an unhappy conflict as that which took place with what are now the United States of America. On looking back at the origin of that unhappy contest, I cannot but think that it was not a single error or a single blunder which got us into that contest, but a series of repeated errors and repeated blunders—of a policy asserted and then retreated from

—again asserted, and then concessions made when they were too late—and of obstinacy when it was unseasonable. I believe that it was by such a course we entered into the unhappy contest with what were at its commencement the loyal provinces of North America. I trust we shall never again have to deplore such a contest. I anticipate indeed with others that some of the colonies may so grow in population and wealth that they may say—" Our strength is sufficient to enable us to be independent of England. The link is now become onerous to us—the time is come when we think we can, in amity and alliance with England, maintain our independence." I do not think that that time is yet approaching. But let us make them as far as possible, fit to govern themselves —let us give them, as far as we can, the capacity of ruling their own affairs—let them increase in wealth and population, and whatever may happen, we of this great empire shall have the consolation of saying that we have contributed to the happiness of the world.

The noble Lord then placed in the hands of the Chairman the following Resolutions:—

"1. That provision be made for the better Government of Her Majesty's Australian Colonies.

"2. That the Governors and Legislative Councils of Her Majesty's Australian Colonies be authorised to impose and levy Duties of Customs on Goods, Wares, and Merchandise imported into such Colonies."

THE AUSTRALIAN COLONIES—COMMITTEE.

SIR W. MOLESWORTH: Sir, the noble Lord at the head of the Government commenced his speech by explaining the principles on which our colonial empire was founded. He then stated facts bearing upon the population and commerce of that empire, and from thence inferred that it would not be to the advantage but to the detriment of the kingdom, were our colonial possessions to be abandoned. In most of the observations of the noble Lord with respect to these points, I entirely agree. The noble Lord then proceeded to explain the future colonial policy of the Government; but I must say, that in some respects the explanation was one which I did not distinctly understand. The noble Lord spoke of granting constitutions to the colonies, and he referred to certain old colonial charters giving power to the colonies in whose favour they were granted to frame their own constitutions. If the noble Lord intends to adhere to the principles of the old charters, he will find me a warm adherent. Next the noble Lord proceeded to censure an association of gentlemen which had been formed for the purpose of obtaining a reform in colonial government. Now, as I am a member of that association, I will state what were the reasons which caused its formation. Its members organised it because they entirely agreed with the noble Lord, that we ought to maintain our colonial empire—because they knew that discontent prevailed extensively throughout our colonies—because they had no hopes of reform from the Colonial Office—and because they believed that a train of errors and blunders, similar to that which lost us the United States, was now endangering the colonial possessions which remained to us—and because they had little faith in the Colonial Office as regards its promises to give free institutions to the colonies. The inhabitants of Australia complain that every year since the present Government came into office, they have been promised free institutions, and every year those promises have been systematically violated. Now, Sir, that the complaints to which I allude are not ill-founded, I think that the following history of promises made to Australia will prove: Four years ago—on the 14th August, 1846, the hon. Gentleman the Under Secretary for the Colonies began by stating that "he hoped and trusted that Her Majesty's Government would be enabled in a short time to consider a better form of government for Van Diemen's Land." On the receipt of this intelligence great was the joy of the inhabitants of the Australian colonies; they believed that the Secretary of State for the Colonies was going immediately to fulfil all the expectations which had been raised by his unofficial speeches on colonial reform. And greater still was their joy when they received the intelligence, three years ago, that on the 17th May, 1847, the Under Secretary of State for the Colonies had announced to this House "that a measure was in contemplation, he might say in preparation, with a view to give the benefits of the British constitution to the Australian colonies generally"—"the measure" said the hon. Gentleman, "was in an advanced state, and would assuredly very speedily, either in that Session or in the next, be brought under the notice of Parliament." Now, how was this promise, made three years ago, fulfilled? No such measure was brought under the notice of Parliament in the Session of 1847, nor in 1848; but instead of it came a shower of fresh promises, each of them again to be broken. On the

7th of March, 1848, the right hon. Gentleman the President of the Board of Trade appeared amongst the promise-makers, and stated that "the noble Earl the Secretary of State for the Colonies hoped during the present Session of Parliament to propose a measure for granting free institutions to the Australian colonies." On the 31st of the same month the Under Secretary of State for the Colonies, having found a seat, declared "that he was only waiting for an opportunity to introduce a Bill." On the 8th of May, 1848, the noble Lord the Prime Minister stated "that it was his intention to introduce a measure at the earliest moment that it was possible." Again, I ask, how were these promises, made two years ago, fulfilled? May, June, and July passed away without the arrival of the "earliest possible moment" of the noble Lord. For four months the Under Secretary of State for the Colonies waited in vain for "an opportunity." At length, on the 18th of August, 1848, the hon. Gentleman assured the House that "at the very earliest period of the next Session, the Bill would be laid upon the table of the House." How was this promise kept? On the 16th of April last I heard to my astonishment the hon. Gentleman the Under Secretary of State for the Colonies reckon the Australian colonies among those which possessed free institutions, because, as he explained, they had had representative institutions conceded to them in principle, and were included in a Bill which he hoped shortly to lay on the table of the House. At length, two months afterwards, on the 4th of June last, the Bill was produced—the offspring of three years' protracted parturition. But even then its birth was premature; it had to be immediately withdrawn, and Bill No. 2 was produced; on examination Bill No. 2 proved to be so mis-shapen a cub, that on the 2nd of July the Prime Minister announced that it would be necessary to make some most important changes in it; and finally, on the 17th of July, the noble Lord withdrew his changeling. Thus, regularly every year for the last four years, the fairest promises have been made to these colonies, and their hopes have been raised, and regularly every year those promises have been broken, and the hopes of the colonists bitterly disappointed. Naturally enough this repeated promise-breaking has produced the greatest discontent, and under the influence of angry feelings the colonists attribute the worst motives to the authors of their disappointment. They blame the people, the Parliament, and the statesmen of Great Britain. They say that the people and Parliament care nothing and know nothing about the colonies, but abandon them entirely to the Colonial Office. They accuse the statesmen of Great Britain, especially those connected with the Colonial Office, of being in their hearts unwilling to deprive themselves of power and patronage by bestowing free institutions on the colonies. Thus many of the colonists, unfortunately believing their rulers to be selfish and faithless, have begun to despair, and in despair to ask one another how they can redress their own grievances. And in reply some of them answer, that it was by rebellion that Canada obtained responsible government, that it is by threats and menaces that the men of the Cape are successfully striving to save their colony from convict pollution; and they ask one another whether Anglo-Australians are less energetic than the *habitants* of Canada, or less bold than the boors of the Cape. That such language is used, and that such sentiments are entertained but too generally throughout some of the most important of our colonial possessions, no one acquainted with those colonies can deny, or fail to lament, if, like myself, he be anxious for the preservation of the colonial empire of Great Britain. Who, I ask, can deny that discontent prevails throughout the colonies? Every year it is increasing in intensity and becoming more alarming; from every quarter menacing sounds are heard, bitter complaints of colonial government, and fierce denunciations of the noble Earl the Secretary of State for the Colonies. The Cape of Good Hope denounces him for having broken a solemn promise, attempted to insult and degrade an innocent colony, and driven its once loyal inhabitants to the brink of rebellion. Van Diemen's Land curses him for a breach of faith in renewing transportation, which now afflicts that ill-fated country with crimes too loathsome to mention. New South Wales, dreading a similar fate, answers with a threat of rebellion his proposal again to send convicts to that colony. His own colony of Victoria, of which he was once the chosen representative, now bids him defiance, and drives his convict ships from its shores. And even Western Australia indignantly protests against his making it a penal settlement. All Australia, Tasmania, New Zealand, and South Africa, accuse him of having year after year raised their hopes of obtaining free institutions, year after year disappointed those hopes, and, on some flimsy pretext, falsified his word. British Guiana, Jamaica, and the rest of the West Indies, look upon him as their worst foe, as the enemy to that economy and retrenchment so much needed in their present distressed condition. Canada taunts him, with its trembling Governor rewarded for his prowess with a British peerage, and makes his policy a pretext for seeking to be annexed to the United States. Ceylon and the Ionian Islands accuse him of having with indecent haste approved of and rewarded deeds which disgrace the British name, and which, in the opinion of Europe, rival in atrocity those of Haynau and Radetzky. And Malta taxes him with conduct unworthy of an Englishman, in refusing asylum to political exiles, and thus setting a bad example, of which the despots of Europe too gladly avail themselves. Thus, from every quarter, north, south, east, and west—from Canada and Australia, from the West Indies and South Africa—charges are brought against the present Secretary of State for the Colonies, of injudicious appointments, ignorance, negligence, vacillation, breach of faith, and tyranny. Though all the colonies unanimously cry out against the noble Earl, yet, I maintain that it is not the individual, but the system, which is the real cause of the existing discontent—that as long as that system is unreformed, it matters not who may be the Secretary of State for the Colonies, discontent will prevail throughout the colonies—every year increasing in intensity, menacing the stability of our colonial empire, and threatening its forcible tearing asunder, to be accompanied perhaps by hateful civil wars, with vast expenditure and much misery both to this country and to the colonies. To avert this impending danger, Parliament must hasten to make a complete and thorough reform of our system of colonial government. There is no time to be lost. There has been too much delay already. The question is, to what extent the policy propounded by the noble Lord will effect a reform in our colonial system. Now, in the observations I am about to address to the House, I shall confine myself to the colonies, properly so called. I mean those colonies in which the European race may be expected to increase and multiply. In those colonies there are three chief causes of discontent: first, some of the colonies complain of the want of free institutions, or of the want of the power to alter and amend existing ones; secondly, all the colonies complain of the appointments made by the Colonial Office; and, thirdly, every colony complains of the arbitrary interference of the Colonial Office in its internal affairs. The noble Lord contends that it is the duty of those who blame the existing system, and who wish to retain our colonial empire, to point out the line of policy they think should be adopted. Now, I shall attempt to meet the challenge thrown out by the noble Lord, not by expressing in abstract terms my opinions with respect to colonial policy generally, but by considering some of the measures which he proposes. In the government of a colony there appear to me to be two distinct questions to be considered: first, the form of government or constitution of a colony; and, secondly, the powers to be delegated to the colonial authorities. With respect to the form of government, I could not distinctly gather from the noble Lord what form he intends for the Cape of Good Hope. With respect to the Australian colonies, the noble Lord has said, that the present Bill is a reproduction of the Bill of last year; but the noble Lord rather surprised me when he called it a copy of the British constitution. The noble Lord intends, it appears, to give to all the Australian colonies the present constitution of New South Wales. Now, let me just describe to the Committee what is the present constitution of that colony. Suppose that 110 Members of this House had seats in virtue of holding office under the Crown, and for as long only as they held office; and that in addition to the 110 official Members, there were 110 other Members who were appointed Members by the Government at the commencement of every Parliament, making in all 220 votes at the disposal of Government. Suppose, likewise, that the House of Lords were abolished, and that, instead of Her Gracious Majesty Queen Victoria, we had a governor of the ordinary description; then we should enjoy the benefits of the British constitution after the fashion of New South Wales. How would such a constitution work with us? We should be divided into two permanent factions, actuated by the fiercest hatred of each other. One party would pride itself upon being the representative of the people, and would look with scorn and contempt upon the other party as the base and subservient tools of the Government. No question would be considered to be settled which was decided against the wishes of the elective Members, and the official and nominated Members would be held up to public odium and hatred if they ever presumed to defeat the wishes of the elective Members. It is evident, that in theory such a constitution is absurd, and that in practice it must be a very bad one. But the noble Lord said that the Australian colonies are to have power to alter or amend their constitutions to the extent of forming a second chamber. Now, I acknowledge that if this power be fully conceded to them, my objections to this portion of the Bill of the noble Lord will be considerably diminished. But, I must say that, in my opinion, sufficient power to amend their constitutions would not have been given to the colonies by the Bill of last year; and I presume, from the statement of the noble Lord, that he does not propose in the Bill of this year to give these colonies a greater amount of power. It appears to me, that neither Parliament nor the Colonial Office has been very successful in devising constitutions for the colonies. In fact, all the attempts of late years at constitution-making have failed. The model constitution of the noble Lord at the head of the Colonial Department was suspended the year after it was enacted. [Mr. HAWES: It was never given up.] No; but it was suspended. Then with respect to the Cape of Good Hope; it is said, that the Government requested Sir Harry Smith to send home the form of a constitution for that colony. Now, no one has a higher respect for Sir Harry Smith than I have. He is an admirable officer, and is well qualified to defeat Caffres; but I do not think that his despatches have proved him to be a Solon. With respect to the Australian colonies, I will merely say, that if the noble Lord at the head of the Government adopts the principle laid down in the charter of Lord Carlisle, and desires to frame constitutions which shall give satisfaction in the colonies, the opinions of the colonists ought to be distinctly taken on the subject. It is not sufficient to ascertain the opinions of a governor, or to refer to the sentiments of one or two newspapers, or the expressions of one or two public meetings. A constituent assembly, composed of the representatives of the people should be summoned, and to them should be delegated the power of determining the form of their constitution. Next, I ask, what are the powers which ought to be delegated to the colonial authorities? That appears to me to be a far more important question than the mere question of a colonial constitution. I am sorry to find, from the statement of the noble Lord, that he intends to retain to the Colonial Office its present arbitrary power of disallowing all acts of the colonial legislatures, and thus of interfering in the internal affairs of the colonies. Now, this arbitrary power has been, and as long as it exists will continue to be, a perpetual cause of colonial discontent and of never-ending discord between the colonies and the Imperial Government. All the colonies complain of the arbitrary power of the Colonial Office. Those complaints are frequently but too well founded. How is it possible they can be otherwise than well founded? Consider who are the persons who are entrusted with this arbitrary power. The heads of the Colonial Office change with every change of government. They are absentee rulers, living at the distance of many thousands of miles from their subjects. They never have ocular experience of the condition of the colonies. They have no personal interest in the well-being of the colonists. They are always obliged to trust to second-hand and partial information with regard to the colonies. They are therefore generally ignorant, and, worse than ignorant — they are generally misinformed about colonial questions. They are said to be responsible to Parliament: that responsibility is a farce; for we cannot spare time to attend to colonial affairs; we cannot obtain accurate and impartial information about the colonies; we are necessarily ignorant; and our system of colonial government may with accuracy be described as government by the misinformed, with responsibility to the ignorant. This kind of government is most bitterly distasteful to men of our race and habits. How should we feel, if we were colonists distant a myriad of miles from our mother country, and were liable to have our acts of parliament disallowed at the whim and caprice of some noble Lord at the antipodes, responsible to a parliament sitting at Sidney, and knowing nothing about us? How should we like to have to wait three years before we could be certain that our acts of parliament are laws? Why does the noble Lord retain this arbitrary power to the Colonial Office? I presume because the noble Lord will say the Colonial Office is the guardian of imperial interests, and ought, therefore, to retain a power of disallowing acts of the colonial legislatures, lest those legislatures should make laws injurious to imperial interests. Now, I acknowledge at once, that means must be taken to prevent the colonial legislatures from making laws injurious to imperial interests. But I deny that it is necessary for that purpose to retain to the Colonial Office its present arbitrary power of disallowing all acts of the colonial legislatures. We may take care of imperial interests in a much better manner, as I will explain in a few words. To do so, I must observe that all executive and legislative powers, with reference to a colony, may be divided into two classes. One class I call imperial powers, because they ought to be strictly reserved to the Imperial Government; and they ought to be so reserved, because they are indispensable for the maintenance of the unity of the empire, and for the management of the common concerns of the whole empire. Therefore they ought on no account to be delegated to the colonies, and the colonial legislatures ought not to be entitled to make any laws affecting or derogating from imperial powers; for if they were entitled so to do, the unity of the empire would be destroyed. Now, all other executive and legislative powers with reference to a colony, except the imperial ones, I call local powers, because they have reference to the management of the local concerns of a colony, as distinguished from the common concerns of the whole empire. Now, it is evidently of great and primary importance to this country, and to the empire as a whole, in what manner imperial powers are exercised; therefore imperial powers ought to be strictly reserved to the Imperial Government, and no colonial legislature should be entitled to make any law affecting or derogating from imperial powers. On the other hand, it is evidently a matter of little or secondary importance to this country, and to the empire as a whole, in what manner local powers are exercised, provided only that the colonists are not dissatisfied with the Imperial Government on account of the manner in which the local powers are exercised. Now, it is impossible for men on one side of the globe to manage the affairs of Englishmen on the other side of the globe without producing intense dissatisfaction. On the other hand, if the colonists were to obtain the uncontrolled management of their local affairs, and if in any respect they were to mismanage their local affairs, for so doing they would have themselves to blame, and nobody else. Therefore I infer that we ought to delegate to the colonies all local powers, and entitle them to pass any law affecting their local concerns. Consequently, I infer that we ought to deprive the Colonial Office of its present arbitrary power to disallow all acts of the colonial legislatures, and to limit the power of the Colonial Office to questions affecting imperial powers. For this purpose it would be necessary carefully to enumerate and to accurately define the powers which ought to be held to be imperial powers. Now, the noble Lord says that it would be impossible to draw the line of distinction. He began his speech by saying, that he could not spare time to attend very carefully to these subjects. But I am sure that the noble Lord, if he applied all his energies to the question, could draw the line of distinction. Such a definition of imperial powers has not only been attempted, but made, by those Anglo-Saxon statesmen who formed the constitution of America; and glad should I be if the colonies were as much attached to the mother country as the States are to the American Union. I proposed last Session that a Royal Commission should be appointed for the purpose of defining imperial powers, and to prepare a measure of colonial reform. I regret much that the House did not assent to that proposal, for by this time the House would have possessed a more accurate enumeration of imperial powers than that which it can expect from me; but I am prepared, at this moment, if the Committee will bear with me for a few minutes, to enumerate the powers which in my opinion should be reserved as imperial ones. First, I would enact that there should be strictly reserved to Her Majesty all the following powers and prerogatives; namely, to send or receive ambassadors, to enter into any treaty, alliance, or confederation with any prince, State, or Power; to grant letters of marque and reprisal during peace or war, and to grant safe conducts during war; to declare or make war—conceding to the colony, when actually invaded, or in such imminent danger as not to admit of delay, the power to engage in war; to confiscate the property of alien enemies in time of war; to establish prize courts; to command the militia in time of war, and at all times to command all regular naval and military forces employed in and about the said colony; to coin money or regulate its value, or that of foreign coin; to grant titles of nobility; to regulate the transmission of letters by sea to or from a colony and any other place; to keep any land or naval forces in or about a colony, or the coast thereof; to erect forts, magazines, arsenals, dockyards, and other needful buildings for military purposes; to place garrisons therein, and to exercise exclusive jurisdiction within the precincts thereof; to take possession of any waste land situate within the said colony, and of any other land therein, upon making due compensation to the owners and occupiers thereof, for the purpose of erecting such forts, magazines, arsenals, dockyards, and other needful buildings, and for any other military purpose. Secondly, I would enact that the colonial legislature shall not have power to make any law to affect or derogate from the aforesaid powers and prerogatives of the Crown; to establish slavery; to alter the succession of the Crown, or pass any act affecting the style and dignity of the Crown, or relating to the appointment of a regent; to absolve any person from his allegiance; to deprive any person of the right of appeal to Her Majesty in Council, in any case in which such appeal now subsists; to make any law containing any matter or thing contrary to the law of nations, as received and administered in the Court of Great Britain; to make any law respecting captures by land or water, or to define piracies and felonies committed on the high seas; to make any law affecting the command, regulations, or discipline of Her Majesty's military and naval forces; to make anything but gold or silver coin a legal tender; to define treason, or alter the law relating thereto; to lay any duty on supplies to Her Majesty's military and naval forces; to bring in any Bill of attainder; to impose any differential duty on imports to, or exports from, any part of Her Majesty's dominions, or any duty inconsistent with any treaty that already has been or may hereafter be entered into between Her Majesty, her heirs, and successors, and any foreign country; to confer any privilege or immunity on the inhabitants of New South Wales that shall not equally be conferred on the other subjects of Her Majesty, and every law or provision in a law in contravention of this clause shall be void. Now, in consequence of these reservations, various legal questions would arise, which I would propose to refer to the decision of the Judicial Committee of the Privy Council. Thus, I would substitute for the present arbitrary power of the Colonial Office a legally-defined power. Now, there is nothing which men of our race hate more than arbitrary power—nothing which they respect more than a legally-defined power. At present the colonial legislatures do not know what laws they may, and what laws they may not, make. In fact, they may at present make any laws whatever, affecting imperial interests in any manner whatever, provided the Colonial Office does not disallow them within a certain period of time. On the other hand, the colonial legislatures cannot make any law which the Colonial Office may not disallow. I propose, therefore, in the manner which I have explained, to enable the colonial legislatures to know precisely what laws they may make, and what laws they must abstain from making; and I propose to settle all disputes which might arise by means of the decisions of one of the highest and most esteemed judicial tribunals in this country. I have now answered the challenge that those who would effect reform in our colonial system should state what in their opinion the alterations should consist in. In order to reduce my principles into a practical shape, I have, with the aid of some legal friends, prepared a Bill for New South Wales. I do not propose to introduce that Bill; for to do so it would be necessary to have the consent of the Government. But if the Government and the House should desire it, I will introduce the Bill, pledging myself, however, only to general principles, and to a general outline, and not to minute details; for, in order to make a perfect measure, information would be required from the Colonial Office, and it would be necessary to consult constitutional lawyers. I must now beg pardon for trespassing so long on the attention of the Committee; but I must rest my excuse in the challenge thrown out by the noble Lord. In conclusion, I would say that our true colonial policy is to have faith in our colonists—to believe that they are as rational men as we are, and understand their local concerns better than we can; consequently we ought to give them the uncontrolled management of their local, as contradistinguished from imperial, concerns. Then the colonists, relieved from the hated tyranny of the Colonial Office; enjoying all the rights and privileges of British citizens; bearing true allegiance to the Monarch of these realms; willingly obeying the laws made by the Imperial Parliament, or by the constituted authorities to whom Parliament shall have delegated legislative power ; having, therefore, no reason, real or imaginary, to find fault with the Imperial Government—would be bound to the empire by the strong ties of race, language, and self-interest.

Mr. ANSTEY agreed with the hon. Baronet that the veto of the Colonial Secretary ought only to be given to acts of the colonial legislatures affecting imperial interests. The hon. Baronet proposed to abolish the Colonial Office under one name, and to renew it under another. His scheme proposed to abolish Earl Grey, and to transfer his functions to the Judicial Committee of the Privy Council. [Sir W. Molesworth : No, no !] He understood the hon. Baronet to say that in those cases where a question arose as to whether the local legislature had exceeded its functions by trenching upon the prerogative of the Crown, the decision was to lie with the Judicial Committee of the Privy Council. [Sir W. Molesworth : No, no !] Then he had been very much misled. But if so, the scheme left them without even the assistance of the Judicial Committee of the Privy Council, in order to ascertain whether the interference of the Crown was called for or not; and they would have litigation without end, not of a peaceful, perhaps, but almost of an armed character, between the Crown and the colony. If, however, the impression which he had first received of the plan was a correct one, then its adoption would be simply to transfer the Colonial Office from Downing-street to Whitehall. He thought the true objection to the plan proposed by the noble Lord at the head of the Government for the Australian colonies was, that it contemplated the creation of a council one-third of whose members should be nominees of the Crown. He was, however, prepared to accept for the present even a much worse scheme than had been proposed by the noble Lord. If the council elected under this Bill proceeded to exercise the powers with which they were invested, he thought the noble Lord, acting in conformity with those sound, enlightened, and statesmanlike views which he had that night enunciated, would not advise Her Majesty in Council to countermand the alterations they might see fit to make. Speaking more particularly with reference to Van Diemen's Land, the operation of the scheme would be this—that one-third of the members would be the nominees of the Crown. The majority which would be found to support the measures of the local Government, would form perhaps two-thirds of the entire council, because the financial position of Van Diemen's Land, derived from the time when Sir George Arthur was Governor, had resulted in placing almost the whole of the property of the island at the disposal of the chief officers of the Government, all of whom were shareholders and managers of the principal banks—banks possessing mortgages over nine-tenths of the property in the colony. They would therefore be able to compel those who had property, to execute implicitly their will and pleasure; and their influence being brought to bear on the elections, the consequence would be, that the chief proprietors of the island would be at the disposal of the Government. If they must have nominees of the Crown, let them do in Van Diemen's Land what they proposed to do in the Cape of Good Hope—create two councils, and let those not influenced by those banking establishments—those who were either not proprietors, or who had small properties—elect the Lower House, and leave the great proprietors to elect the Legislative Council. The evil, for the present, would no doubt be great; but they might hope to see the time when the state of the colony would be so much improved that the system would be found to work with great advantage.

Mr. BAILLIE said, it was not his intention, on the present occasion, to enter into any general observations on the very important subjects which the noble Lord or the hon. Baronet had brought under their notice that evening. Indeed, he should confine the very few remarks he had then to make, to one only of the colonies which had been mentioned by the noble Lord. The noble Lord had entered into a statement with respect to the constitution which had been granted to British Guiana, and declared that the franchise in that colony had been considerably increased. Now, as he (Mr. Baillie) believed the noble Lord, doubtless from the multiplicity of the subjects which he had to bring under the notice of the House, had been misinformed on the question, he would beg leave to make a statement of the real facts of the case to the House. The Committee which sat to consider the grievances of British Guiana, recommended that an alteration should be made in the constitution of that colony; but it also recommended that that alteration should be made in friendly concert with the colonial authorities. Now, when that paragraph of the report was under discussion, he took the liberty of asking the right hon. Baronet the Member for Tamworth what was the interpretation which he placed upon it. He asked him explicitly if, in his opinion, it could be considered in friendly concert with the colonial authorities for a Bill to be introduced into the Court of Policy, and forced through that court wholly by the official votes; and the right hon. Baronet stated that he should consider such a proceeding most objectionable. Now, he (Mr. Baillie) was prepared to state to the House that this was the course which the Governor of British Guiana had resorted to. The new Franchise Bill in British Guiana was forced through the Court of Policy by official votes only—every one of the elected members voted against the measure, which was merely carried by the double vote of the Governor, and became law. Every one of the elected members, considering this to be an arbitrary proceeding, resigned his seat; and although every one of them, he believed, would have been returned under the new Bill, they positively refused to allow themselves to be put in nomination. Now, the noble Lord stated that the number of the electors had been increased; but he (Mr. Baillie) was informed, on the contrary, that the number of the electors—very small as it was before in British Guiana—had now been reduced by 200. And in order that the House might have an illustration of the manner in which the elections were now carried on under the new Bill, he would just state what took place at the election for the county of Essequibo. The former Member for that county refused to stand; and the candidate sent to replace him was the Solicitor General. There were just two electors present at the election; the one elector was the gaoler, and the other the county clerk. The Solicitor General was proposed by the county clerk, and seconded by the gaoler, and was returned as the Member for the county of Essequibo. So that a Government officer was proposed by one Government officer, and seconded by another, and then elected by the two! That would illustrate the sort of constitution which the Government had granted to British Guiana. It was not his intention to enter into the general discussion of the measure at present. Doubtless another opportunity would be afforded for doing so; and then he should enter more generally into the question.

MR. LABOUCHERE hoped the few remarks he would address to the Committee would be in strict harmony with the same calm and dispassionate tone which he rejoiced to find the House had observed hitherto, in the discussion of the highly important subject brought under its notice by the noble Lord—a tone which he trusted would prove an augury of the manner in which colonial subjects were to be discussed this Session, and which he thought it of the deepest importance they should ever observe, when it was considered that an incautious remark, or an excited expression, although made in that House without any such intention, might yet have the effect, when it reached the colonies, of producing incalculable mischief. He was particularly anxious to address the House, having borne a share, as a Member of the Committee of Privy Council in Trade and Plantations, in recommending to the adoption of the Government the two important measures that were submitted to the House relating to the Australian colonies and to British Guiana. And he wished to refer to some remarks made by the hon. Baronet the Member for Southwark, which he thought likely to create an erroneous impression that ought to be removed. He was quite ready to concede the general principle of the propriety of the mother country giving the most ample powers of self and free government as regards all matters strictly connected with their local affairs to those of her colonial dependencies which were peopled by the English race; and he rejoiced that the Government, after so much vague declamation had been used on this subject, had had an opportunity of proving that its professions were not mere empty words, whilst it at the same time solicited the advice and assistance of the House on these difficult questions deeply affecting the interests of a great and distant colonial empire. And he thought no fair and candid man would hesitate to admit, however he might differ from the views of the Government with regard to the details of these measures, that with respect to their scope and tenor, Her Majesty's Ministers had been animated by a sincere desire to give freedom—constitutional freedom and local self-government in the amplest possible manner—to the inhabitants of these vast and growing colonies. He had heard, he confessed, with considerable surprise, very great censures passed by the hon. Baronet the Member for Southwark on the plan which the Government had proposed for the Australian colonies; but he rejoiced that they had already received intelligence from that part of the world which led him to suppose that there were very good grounds for stating that the inhabitants of the Australian colonies themselves would receive in a very different spirit and manner those proposals of the Government which had drawn so much stricture and objection from the hon. Baronet. It was quite true that he had not yet any official despatches on the subject to offer to the Committee on this occasion; but there existed other means of information regarding the feeling of colonies like these, that were of a nature scarcely less valuable and trustworthy. He held in his hand a copy of a leading newspaper, published in New South Wales, which must be well known to every gentleman who had taken a deep interest in the affairs of that part of the globe. He meant the *Sydney Herald*—a journal not only of the greatest circulation in the colony, but which represented the opinions and sentiments of by so far the more popular party. Now he begged the House to contrast the language of that paper with the words of Gentlemen speaking in the name of the colonists on the floor of that House that evening. The paper had just arrived in this country, the date being the 19th September last. The language of the *Sydney Herald*, referring to the report of the Committee of Privy Council on Trade and Plantations, was couched in terms too flattering and complimentary certainly to those who had drawn up that report; but, considering the object for which he quoted it, he trusted it would not be ascribed to personal vanity if he read it to the House:—

> "Those of our readers who have attentively perused the long and elaborate report of the Committee of the Board of Trade, published in our columns in May last, will no doubt agree with us in thinking it one of the ablest and most consolatory documents of the kind ever laid before a colony. To what extent other British colonies may have experienced kind treatment from the Home Government it is not for us to say, but certainly we must testify that never before has the colony of New South Wales received so large a share of Ministerial consideration, liberality, and kindness as it has in the present instance. Her Majesty in Council has been graciously pleased to concede to us nearly everything we have asked for."

He, perhaps, ought to make some allowance for the first burst of gratitude on receiving a great gift, and he was not so ignorant of human nature as to think such expressions did not require some degree of qualification; but at the same time he thought he had a perfect right to say that the Government had not been altogether unsuccessful in conciliating the public opinion of the inhabitants of New South Wales, in framing the proposition they had ventured, after much deliberation, to recommend to the adoption of Parliament. So much, then, as to the state of public opinion in New South Wales. But he had also another paper that had arrived by the same mail from Port Phillip. He was less acquainted with the character of this paper, and therefore could not speak with so much confidence of its value as an authority as he had done of the other. It was the *Victoria Colonist* of the 14th September, and it stated as follows:—

> "It must be highly gratifying to Earl Grey and the rest of Her Majesty's Ministers to find that the boon granted by them to the Australian colonies in the new constitution before us, has diffused such a general satisfaction throughout the province of Victoria. All the newspapers are unanimous in their expressions of approval, and there is not even one solitary instance of dissent."

Therefore it would appear they had at present reason to believe that the inhabitants of the Australian colonies would be less critical and more easy to please on this matter than some of those, who, doubtless with the best intentions, stood forward to defend their interests in that House; and that they were inclined gratefully and readily to accept those measures which he might truly say were framed and devised with a sincere desire to promote their benefit and consult their wishes, and to place them upon that footing on which he was sure they had a right to be—that of free members of the British empire. The Government had reason, he said, for believing that their efforts in this respect had not been unattended with success, and that they would secure the object for which they were intended, and lay by this Bill the foundations of free institutions, calculated to produce happiness and prosperity for the colonies concerned. It had been urged by some that a constitution of three estates, following the model of the constitution of the mother country, was altogether preferable to the form of constitution now proposed for New South Wales. Now, the fact was, that that was the very same opinion as had been originally strongly expressed in the report of the Committee of Privy Council on Trade and Plantations; and it was only in deference to the strong feeling existing in the Australian colonies, as conveyed to the Home Government in the resolutions passed at numerous public meetings, and annexed to the despatch of Sir W. Denison, that the original intention had been departed from. That was the sole reason why the Government now recommended that the mixed council should remain where it was, whilst at the same time they should be invested with the power of altering it whenever they thought fit. The House would find numbers of petitions from different towns in the colony contained in the papers headed "Australian Colonies," now lying on the table. He would quote one at pages 3, 4, as a specimen. It was—

> "That the contents of the despatch dated July 31, 1847, from Earl Grey, Secretary of State for the Colonies, has excited in the breasts of your Majesty's petitioners indignation and alarm, as by it they learn that the electoral franchise enjoyed by them under the Act of the Imperial Parliament of 5 & 6 Vict., cap. 76, was about to be abrogated and superseded by a crude experiment no less at variance with the principles of the British constitution, than absurd and impracticable in a population dispersed, and located, as are the inhabitants of New South Wales. Second to none of Your Majesty's subjects, in glowing loyalty to Your Majesty's person, and deep veneration for the principles of the constitution of the parent State, as seen in operation in Great Britain, Your Majesty's petitioners are unconscious of any adequate reason for depriving them of that dearly cherished birthright of a Briton, the power of electing his representatives in the councils of their country. That an Act effecting the change propounded by Earl Grey, would deprive Your Majesty's petitioners of that power, and thus be in truth to them a Bill of pains and penalties, without a pretence that any conduct of theirs has merited punishment. That Your Majesty's petitioners claim the right to enjoy, as nearly as circumstances will admit, the full benefit of the principles of the British constitution, and humbly and earnestly implore Your Majesty to be graciously pleased to interpose your high authority to prevent this colony being made the field of theoretical experiments in legislation. That, as born subjects of Your Majesty, they conceive themselves entitled to all the blessings and benefits of Britons; and they have, therefore, a right to expect that no alteration in the constitution of the colony shall be effected without the previous assent of those whose liberties and property must be affected by it. Your petitioners, therefore, most humbly pray Your Most Gracious Majesty will not assent to any alteration of electoral franchise of your subjects in this colony, which may have the effect of diminishing the rights they now enjoy, nor any such important changes in the form of their government, which shall not have been previously submitted for the opinion, and received the approbation, of the colonists."

The Government, under these circumstances, had done exactly what the colonists wished; for whilst they had retained the institutions they now had, they included within them the further power of being altered when the colony should think fit, and he found that that part of the scheme of the Government received their unqualified approbation. So much for the question of the Bill for the Australian colonies now before the House. But the hon. Baronet the Member for Southwark had made some observations also on the constitution proposed to be given to the Cape of Good Hope, to which he felt it necessary to advert. The papers relating to this subject had certainly lain on the table but a very short time, and therefore he could not blame the hon. Baronet for the mistake he had made; but he assuredly could never have read the documents with any great degree of attention when he represented the plan of the Government to be what he had stated it. [Sir W. MOLESWORTH said, that he had not been guided by the papers which he had not read, but by the speech of the noble Lord at the head of the Government.] The hon. Baronet said that the constitution for the Cape was to be left to the decision of Sir Harry Smith. [Sir W. MOLESWORTH expressed his dissent.] Nothing could be more completely at variance with the truth than this assertion, the truth being that the main principles of this constitution were imperatively laid down, there not being the difficulty in the case of the Cape, that was encountered in that of Australia. There they introduced that form of constitution in the abstract which they believed to be the best fitted for Englishmen—namely, that of the three estates—and gave the colony the Governor and the two Councils. The only thing left to Sir Harry Smith was certain details with regard to the qualifications and other matters, which the Government felt it extremely difficult to settle in this country, without sources of information which the Governor and his Council on the spot could most effectually command. And he was sure that any Gentleman who read with any care the able and talented papers emanating from the members of the Council at the Cape of Good Hope, from the Chief Justice and Secretary Montague, and Mr. Porter, the Attorney General, and observed the liberal and enlarged spirit in which they were conceived, must feel that the Government acted judiciously and wisely in leaving it to them to suggest these details, rather than incur the risk, by attempting to arrange them with their imperfect knowledge of the circumstances, of having them sent home, in case of mistake, to be entirely framed anew. He did not think it necessary to trouble the House further on these subjects, but he must state his firm conviction that it would be most difficult in practice to draw a precise line of distinction between that class of questions which should be left entirely to the decision of the colonial legislatures, without reference to the Home Government, and those in which the Home Government should have the right of exercising a veto. He believed that every prudent English Government would desire, as far as possible, not only to promote, but to encourage all our colonies which had the blessing of free institutions in as far as possible, managing their own local concerns for themselves. He felt as strongly as the hon. Baronet could, the inexpediency, and indeed the impossibility, of our intermeddling in any manner that could prove beneficial to the colonies themselves, with the regulation of their own local affairs; but he believed it would be most difficult and dangerous to adopt a rule attempting to draw a precise line to distinguish imperial from local questions. He believed it might be done, however, for all practical and needful purposes, far better by the discretion and prudence of the Home Government, than could be effected by the fixed and arbitrary definitions of any Act of Parliament; and he agreed with what the hon. and learned Member for Youghal had said with respect to the solution of the difficulty which the hon. Baronet the Member for Southwark saw, but could not solve. Leaving the difficulty of laying down definitions to the Privy Council, would occasion the most serious dangers and litigation. Even in the case of the United States of America, where the supreme court exercised the function of defining the limits of the authority of the State Legislature and the Congress respectively, serious difficulties had arisen, although the two separate jurisdictions existed in one spot and in the same country; and these evils he believed would be infinitely multiplied and aggravated whenever distant colonies were found contending with the Imperial Government at home on questions of the nicest distinction. He believed, that under such a system, the discontent of the colonies would be infinitely greater than under the system which now existed, provided it was discreetly and properly administered. He firmly believed it was the intention of Her Majesty's Government to work this system in a manner which would leave to the colonies, having local legislatures, as far as possible, that unfettered and unrestricted management of their own concerns, which properly and fairly belonged to them. But he thought it was necessary for the general interests of the empire to reserve the ultimate and supreme control of the Government and Parliament of this country over all its scattered members. He admitted that that system might not be perfectly reconcileable in its working with the theory of the speculative philosopher; but, as Mr. Burke had said, it was yet found in its practical and daily operation to secure the freedom and happiness of all the different members of our great and widely-extended empire. And, therefore, he trusted the House would decide upon adhering to that view, without venturing upon what he believed to be the dangerous ground suggested by the hon. Baronet the Member for Southwark.

Mr. ROEBUCK said, he should be sorry to allow this occasion to pass without taking the opportunity of expressing his opinion upon a subject on which he had bestowed a considerable degree of attention. He understood the noble Lord at the head of the Government to have done two things that night: first, he had explained the general policy intended to be pursued by the Government with respect to our colonial possessions at large; and, next, he gave us an illustration of that general policy, in the shape of a specific measure. In support of the general policy which he was about to adopt, he had taken a review of the past history of our colonial system; but, by a most curious and extraordinary fatality, he had altogether omitted from his historical sketch the most important part of all our colonial history, namely, the colonisation of the present United States of America. The noble Lord moved that out of his path, and confined his observations to a certain charter given to Lord Carlisle in the reign of Charles I. with respect to one of our West India possessions; but if they had a policy at all in their colonial government, it was to be found in those remarkable charters which were granted to the United States of America. The hon. Baronet the Member for Southwark stated to the House that those charters were simply general powers conferred on the colonists whereby they might make unto themselves a constitution; but that was not the case. The charters given to those colonies were most peculiarly definite and specific, and went into the particulars—so much so, that some of them even to the present hour are the actual constitutions of a portion of the United States. And one of the most despotic Ministers this country ever had, under one of the most despotic monarchs this country ever had—Lord Clarendon, in the reign of Charles II.—conferred on Rhode Island so liberal a constitution, that to the present hour it is the constitution of that State. So specifically was it given, that they were enabled under it to elect a body that is the governing body to the present hour. The noble Lord laid down a most constitutional proposition of great liberality. He said it was the intention of the Government to give to the colonies the management entirely of their own concerns. He (Mr. Roebuck) was delighted to hear him say so; and then the noble Lord began to deal with, and comment upon, the conduct of certain gentlemen, Members of that House, of whom he (Mr. Roebuck) was proud to be one, in respect to the present policy of governing our colonial possessions. If they wanted a justification for their conduct, or required anything to satisfy themselves and the country, the conduct of the noble Lord supplied that justification. A set of gentlemen, belonging to all sections of politics, and from all parts of the country, expressed the deepest interest in colonial government, and made the noble Lord aware that the country felt interested in it, and he was also obliged to give attention to the subject. He (Mr. Roebuck) was satisfied that if the country was quiet, and if they had not expressed their opinions, the noble Lord would not be so anxious as he was on the present occasion to satisfy them. The noble Lord's attention having been directed to the subject, he came, as he generally did, very gallantly up to the subject, and very nearly satisfied him as to the colony of South Africa. But he would tell the noble Lord that he could never have two measures for their colonies, nor three measures; and after what was proposed to be done for South Africa, he might be sure that the colonies of Canada, Nova Scotia, and New Brunswick, would all demand elective councils. That would be no new thing to him (Mr. Roebuck); he had been asking for something like twenty years for that elective council, and he saw a civil war arise because that council had been denied. He had seen a country held back in the race of improvement, because that was not granted. But the noble Lord's mind seemed now like a blank sheet of paper, ready to receive impressions free and unbiassed. His mind was brought to the conclusion that a double chamber was necessary, and that both should be elective. He was delighted to hear that the noble Lord had brought his mind to that opinion; but he could not understand by what process, having arrived at that conclusion respecting South Africa, he should arrive at exactly the opposite conclusion with respect to New South Wales. [Mr. Hawes: No, no!] The noble Lord had certainly come to a most opposite conclusion with respect to New South Wales. This was no new question, and had been brought before other assemblies than that. They all knew that the question of a single chamber was a question mooted in France since 1789. The great revolution of 1789 turned on that very question, and the Constituent Assembly made one single chamber out of three. The noble Lord had this question in his mind before, and decided in favour of two chambers, but coming to New South Wales, it appeared that the colonists were so satisfied with the present constitution that they would not accept that which he (Mr. Roebuck) supposed would be a much better one. A petition had been referred to in which the petitioners protested against unnecessary and theoretical experiments; but this was no theoretical experiment. They had seen two chambers in this country for a number of years; and all their colonies in North America, except Rhode Island, had two chambers. And when the noble Lord was about to make a model constitution in South Africa, which will go down to posterity as peculiarly his own, he proposed a double chamber. Though some notion might prevail in Sydney in favour of their present system, was all South Australia or Port Phillip bound to follow that most unhappy experiment? What had they got at Sydney? A council, two-thirds of whom were elected members, and one-third the nominees of the Crown. [Mr. Hawes: The Governor.] Nominees of the Governor. Now if this form of constitution were to be imitated, what would those nominees be? They would constitute a clique of gentlemen connected with the Government, who would be in constant hot water with the whole community. The popular mind would be for ever directed against them. He (Mr. Roebuck) might say he had lived in a colonial community; he knew what it was—it was a small narrow community, everybody knowing everybody, and almost everybody hating everybody. He could not himself conceive anything so horrible to a man who did not wish constantly to be in hot water than living in that state. He knew what would be the consequence. The moment they got their council there, they would have a great constitutional question to discuss. It would be the subject of dispute and patriotic declamation. They would have opposition, and they would be always fighting with the Colonial Office—that is to say, the Colonial Office would be fighting with the colonies. [Mr. HAWES: About what?] My hon. Friend has been three years in the Colonial Office, and yet asks that question. Because the nominees of the Government would not satisfy the people. They might be the best possible legislature, but they would not be the legislature of the people. If it were composed of the most admirable men that could be found, the suspicions and prejudices of the people would be aroused, because there were a set of men sitting there who would be the nominees of the Government, and they would not be satisfied with that legislature. He asked the noble Lord, whose object he really believed to be to govern the colonies well, why did he halt thus in the march of improvement? His better mind was acting in South Africa, but in New South Wales it deserts him, and some evil genius now presides. Why, he asked, should they leave this single blot on the largest portion now of their colonial possessions? Taking the general name of Australia, it was the largest portion of land they had got to settle, and why should they maintain there a faulty constitution? It was admitted that, taking the general proposition, two chambers were better than one; but then it was said there was an instance in which one chamber at present exists, and as they were about to make constitutions for Van Diemen's Land, Port Phillip, South Australia, and another colony—as they were about to make five new constitutions in Australia, the Government were led to go against their better judgment, because there now exists one faulty constitution. He (Mr. Roebuck) asked the Government to deal with this question with a knowledge of human nature—he asked them to address themselves to the subject as men having a knowledge of human nature—he asked them, when making a great experiment like this, not to sow the seeds of discontent, and not to plant a quarrel which would overshadow the benefits to arise from this measure.

MR. HAWES begged to call attention, in the first place, to two petitions signed by certain landowners and inhabitants of New South Wales. The petitioners stated that the 5 & 6 Vict., the Act establishing the constitution of New South Wales, was brought in and passed after serious deliberation; that it had only existed for five years, and was welcomed as a boon; and both prayed that no changes in this constitution might be made without their consent. There was also a petition to the same effect from Van Diemen's Land, objecting to any constitution but that conferred on New South Wales, and the Governor and Council of that island were also favourable to a single chamber. Now, New South Wales was the largest and most populous of their colonies, and what was the constitution it possessed? He was not going to defend a single chamber; he agreed that the old constitution was preferable, but what was the constitution that was so highly popular in New South Wales? The Legislative Council was elective, with this exception that one-third of its number consisted of nominees, the other two-thirds being elected by the people. It followed from that, that it was essentially a popular constitution, the numbers of official to elected members being in the ratio of one to two. If his hon. and learned Friend the Member for Sheffield referred to the papers, he would see that the question of a single and double chamber had been debated in the Council of New South Wales, and there was a very narrow division—the double chamber being negatived only by a single vote. That was evidence clearly that there was a strong feeling in the colony of New South Wales prevailing in favour of a double chamber, for the minority was so large that it was only over-ruled by a single vote. But on examining the division it would be found that nine of the elected members voted against a double chamber, and only four for it. So the elected members decided two to one against the double chamber. His defence of the proposition of the Government, therefore, was, that the single chamber was acceptable to the colonists, and that it worked well, and they thought it right to rest their measures on an established and tried constitution that had given satisfaction. In taking that course, was it decided by Parliament that there should be a single chamber? If hon. Gentlemen referred to the Bill of last year—and the Bill of this year in this respect was the same as the last—they would find that the Legislative Council of New South Wales had power to alter this constitution. With this strong feeling in favour of a double chamber—with all this prepossession in favour of a double chamber, was it not wise to leave that question to be the subject of public discussion in the colony, to preserve their constitution intact, but to give to them the power, if public opinion became changed, of altering and modifying their constitution. That was the most deferential course towards their fellow-subjects in New South Wales that could be taken. Now he came to the observations that had been made in reference to the Cape. It was said they were establishing there what was an innovation upon their ancient colonial system, inasmuch as they were conferring on the Cape the privilege of having an elective Legislative Council; and it was said also that when once the Parliament of England declared the Legislative Council of the Cape should consist of elected members, it would be impossible to refuse to any other colony the boon they had granted to the Cape. Now, this must be considered, and so he would wish the House to consider it, that if any colony having a certain European population, desired to have an elective Legislative Council, their declaration for an elected Legislative Council would meet with no opposition from them. When an elected Legislative Council was granted to the Cape, it could not be objected to in other colonies, where the circumstances were the same. He did not wish to allude to anything of an angry or recriminatory nature that had marked the earlier part of the speech of the hon. Baronet the Member for Southwark; but he must refer to the observation that, in consequence of the delay that had occurred in bringing forward this measure, the hopes of the colonists had been disappointed. That delay arose partly from the state of the business before the House last Session; and from that cause, and also from legal delays, they had been prevented from laying the Bill on the table of the House at the time they wished. But they had never any intention to depart from their plan. As far as regarded the constitution of the Cape and the constitution of the Australian colonies, the same plan was laid on the table of the House, in all its main provisions, in the early part of last year. He (Mr. Hawes) did not want to detract from the services conferred by the gentlemen belonging to the Colonial Reform Association; but he felt bound to say this—that those measures were actually matured, and the intention to introduce them entertained, long before the Colonial Reform Association was formed. One of the members of that association was a former Under Secretary of State, and that association invited the colonists to send accredited agents to represent the colonists. He (Mr. Hawes) must say that a more dangerous or objectionable measure was never suggested. Who was to accredit those parties? How were they to ascertain their connexion with the colonists? How could they know they represented them? They professed to ask for popular sympathy and support; how did they know that any of those parties would represent the colonists? He knew the colonies well enough, and the parties so sent might not be able to give the best and soundest information. The hon. Baronet—who showed how much he attended to the subject by the sketch he had given of his Bill—seemed to think it would be a very easy thing to distinguish between what he called local legislation and imperial legislation. If he came to the clause of the Act of Parliament, he (Mr. Hawes) would defy him successfully to do so; but even if he succeeded in making it manifest and clear that the distinction could be drawn, he (Mr. Hawes) had an objection to make a judicial body the arbiters of the question whom they had not adverted to at all. He had heard it said that the colony of New South Wales, or of New Zealand, could not vote a sum of 50*l.* for the repair of the government-house or market place without writing home to the Secretary of State. That was not so. The money vote was taken in the Council; the appropriation vote was taken there as here, and the money was expended for local purposes long before the appropriation act came to them for ratification. While on the subject of local and imperial legislation, why did not the hon. Baronet refer to the question of the Canadian rebellion losses which had been discussed in that House? In that case, there was a Bill essentially local; but a very high authority in that House considered it to be a Bill involving imperial considerations; and he (Mr. Hawes) did not deny the weight of the arguments he had used in support of his views. He felt a deep interest in the question, and was of opinion at one time that a judicial committee might be formed. He had the pleasure of having many conversations with Mr. Godley, and could only say, that after consulting those who were best qualified to give information, and forming the best opinion in his power, he conceived what the hon. Baronet proposed would be an injurious measure. The hon. Gentleman the Member for Inverness-shire said he would take a future opportunity of calling the attention of the House to British Guiana, and therefore he (Mr. Hawes) would not now refer to it; but he begged to point out a serious mistake in the few words which the hon. Gentleman had uttered. The hon. Member had said the franchise was limited, and referred to an election where only two men had voted. Now, it had been his (Mr. Hawes's) fortune to be elected without a vote. He had seen many elections in this country, even in Westminster, without a vote; but because there was no contest, was it right to say there was no constituency, or to represent there were only two voters because the names of a proposer and seconder only appeared? From the papers on the table it would be found that there was a large number of registered electors, and when the proper time came, he should be prepared to explain the clauses inserted in the Bill on the subject. Referring generally to our colonial policy, when the measures now proposed came before the House, he hoped it would be found that all their colonies had representative forms of government, and as nearly those of the mother country as circumstances would permit. The hon. Baronet the Member for Southwark had stated, when speaking of the Governor of the Cape of Good Hope, Sir H. Smith, that he was no statesman. He would remind the hon. Baronet that, as Governor of that colony, he was addressed by the Secretary of State, and enjoyed the fullest opportunities of consulting the Attorney General and Judges of the colony; and he could confidently refer to the documents on the table of the House as proving the ability with which the Governor had discharged the duty imposed upon him. The papers on the table reflected the highest honour alike on the Governor and his advisers.

Mr. GLADSTONE said, that it was not his intention at that late hour of the night to enter into any general view of the colonial policy as laid down by the noble Lord at the head of the Government at the commencement of this debate; neither was it his intention to enter into any defence of those gentlemen who had associated themselves together under the name of the Colonial Reform Association. There might, perhaps, be points in the constitution of that society which were open to criticism; but he thought that at any rate it was entitled, in all fairness, to the credit of having been a useful stimulus to the proceedings of the Government. The hon. Gentleman who had just sat down, observed that the Australian Constitution Bill was framed long before the formation of the Colonial Reform Association. Of that fact there could be no doubt; but it must be remembered that the Australian Constitution Bill was not the object of their admiration, but rather of their criticism. The credit which the Government had gained depended upon a much more recent production, namely, the outline of a constitution for the Cape of Good Hope; that, he apprehended, dated subsequent to the formation of the Association. [Mr. HAWES: No!] It was in January, 1850, that the idea of the elective council was canvassed in the Committee of Council of Trade and Plantations. He was very anxious to back the appeal which had been made by the hon. and learned Member for Sheffield, and was most desirous that they should not commit a false step with respect to the Australian constitution. Against the motives and intentions of the Government in proposing a single chamber for the Australian colonies, he had not a word to say. He believed the Bill brought in for that object, had been conceived in an honest and friendly spirit; and if he ventured to recommend another arrangement, it was by no means with the desire of casting any discredit upon hon. Members. But how stood the case with respect to this single chamber of New South Wales? The hon. Member the Under Secretary for the Colonies stated that in the first Bill they preferred a double chamber, but that they had adopted a single chamber because the feeling of the people of New South Wales was opposed to the creation of an Upper House. He (Mr. Gladstone) believed only one Member of the Legislative Assembly spoke against a second chamber. The hon. Under Secretary added, that they had provided a remedy for the error, if it were one, because they proposed to give to the legislature which they were about to constitute, the power of remodelling itself, and of establishing a double chamber instead of a single one. Now, with respect to this remedy, he thought it a most imperfect one, because he took it for granted that the object of the Government was to ascertain the sentiments of the community of New South Wales. He knew of no public interests, of no Crown interests, and of no colonial interest, in any of the colonies like that of New South Wales, apart from the interests and feelings of the peo ple of the colony itself. The body which was to judge of the constitution, and which was to possess the power to alter it, was a body into which nomination largely entered. It was a perfectly conceivable case that in this council of thirty-six in New South Wales, there might be a majority of elected representatives who were favourable to a double chamber, but that such majority of elected representatives might be converted into a minority upon the whole, because the nominated members might object to the change from a single to a double chamber. And what was more natural than that the nominated members should so object? Because, of course, the second chamber, if desired, would be an elective one, and those gentlemen who sat, not by election, but by nomination, would naturally be arrayed upon the side of the single as against the double chamber. The remedy, therefore, proposed was a most imperfect one, and one which in all probability would be found entirely inoperative. But was the allegation of the hon. Gentleman the Under Secretary of State for the Colonies even correct, that this question of a double or single chamber had been fairly brought before the people of New South Wales, and decided by them in favour of the single chamber? He maintained that the question had not been so brought before them, and he joined issue with him upon a matter of fact. He maintained that, so far from their deciding in favour of the single chamber, the question had never been before them at all. The people of New South Wales had never dreamt that the Government would consent to give them an elective upper chamber. It was quite true that the question before them related to an upper chamber; but what question was that? It was, whether they would have an upper chamber composed of Government nominees? To that question they replied, "We have got our Government nominees, and we have got them combined in a single chamber with the popular representatives; and we think that system preferable to a house of representatives and a house of nominees." He was not sure that he would not have agreed with the colonists in that opinion. He confessed that he thought the existing constitution in British North America and in Canada was very defective. If the Government desired to draw out the plan for a second chamber, they must base it mainly and entirely upon the elective principle, and it would be of no use or value in checking the movements of a popular assembly, unless the elements of election were included in it. What had they seen take place in Canada? They were told a little while ago that Lord Elgin, upon his change of government, had swamped the Legislative Council. He found that he was obliged to bring it in harmony with the House of Assembly, and that it was impossible for him to suppose that a number of gentlemen, having no title beyond general ability, and nominees of the Legislative Council, could stand in collision with the Lower House; and it was for this reason that he found it necessary to add to the number of members, and thereby destroy the independence of that House. If, however, the second chamber were elective, it would have a strength of its own, derived from the same source with that of the popular assembly—precisely the same as they saw was the case in France at this moment. There, the President of the Republic, though but one man, yet appealed to the will of the electors who chose him, against the will of those who elected the Assembly. Placed in these circumstances, the people of New South Wales had no alternative but an upper house of Crown nominees; and the judgment which they had come to upon the subject was a perfectly natural one, but it did not raise even the faintest presumption that they were opposed to a double chamber. The hon. Gentleman the Under Secretary of State for the Colonies had stated that the Governor of Van Diemen's Land recommended a single chamber. Such, however, was not the case, for he had sent home a most emphatic recommendation the very reverse, in his despatch of August 15, 1848. He there states—

> "Without, therefore, wishing or presuming to give an opinion on the general question of the best form of legislative body, I may say that, under the peculiar circumstances of these colonies, I should most strenuously recommend the adoption of a second or upper chamber."

That was his opinion upon the subject; and that strenuous recommendation of an upper chamber was sufficient to dispose of the argument in favour of a single chamber, founded upon the assertion that the people of the colony had pronounced in favour of a single chamber. He would now briefly give his reasons why he conceived a double chamber preferable. In the first place, when the people of this colony learned that they were about to give an elective upper chamber to the Cape of Good Hope, it would at once be the signal for a strong agitation for a new constitution; and, secondly, that this constitution proposed for New South Wales, although it might have been a very fair constitution to enact some seven or eight years ago, when the public mind was not so rife upon these matters, still it was not a good one for the present time. He did not like the idea of gathering together a fixed body of gentlemen, neither more nor less than twelve, who were to be placed in the face of twenty-four elected members, not distinguished persons placed there because they were the most distinguished characters in the colony, or who received it as the reward of their efficient public service. There was none of the grace or dignity attaching to their position which there was to appointments to the House of Lords in this country, where they had the most eminent men of their professions, great warriors, or those who had distinguished themselves in their various lines of life; on the contrary, there were twelve men put there by the influence of the Crown, to check and control the actions of the elected members of a popular assembly. The appointment of these men involved a fundamental and vital error. It proceeded upon the supposition that the Crown had something to defend which the popular assembly was likely to attack—it proceeded on the supposition that the Crown had a set of interests in the colony opposed to those of the colonists, which tended to the creation of a sect or party in the colony, which was presumed to be assisted in some particular manner by an exclusive title to loyalty and British attachment of a part of the colonists. He did not deny that those gentlemen so nominated were sincerely loyal; but, in his opinion, it was most dangerous for them to do anything which should tend to create anything like a feeling of sect or party in the colony. They should endeavour to make the whole colony one British party. The best course to pursue, in order to obtain that desirable end, would be to leave the colonists to themselves—leave them to the management of their own affairs, show nothing like a feeling of jealousy or distrust of them, nor endeavour to press upon them institutions which appeared to show that this country had separate interests and separate objects in view, for which they thought it necessary to appoint special means of defence, lest, if the colonists possessed entire liberties, those objects would be frustrated by their want of attachment to us. When the subject came fairly before the House, he would be prepared to state more fully his opinions upon the question of a single chamber.

Mr. HAWES said, that as the right hon. Member who had just resumed his seat had quoted incorrectly the opinion of Sir W. Denison, the Governor of Van Diemen's Land, with the permission of the House he would read some passages from the same despatch referred to by the right hon. Member, in order to show the error into which he had fallen:—

> "In the face of this it would almost seem needless that I should say anything more upon the subject, as the chances appear to be that the Bill will have passed long before your Lordship can receive this despatch; but as delays may take place, and as your Lordship may not be able to carry the Bill through Parliament in the present Session, it will be but just to the members of the Executive Council, and to myself, that I should explain to your Lordship the grounds upon which we recommended the adoption of a form of government similar to that at present existing in New South Wales, without attempting to give an opinion as to the advantages or disadvantages contingent upon the adoption of that particular form. These reasons may all be summed up in the simple fact that the form was established in New South Wales, and that the Australian colonies are so connected together—so identified with each other, as far as the character and habits of the people are concerned—as to make any change in the existing system of representation, if applied only to one colony, a matter of very doubtful policy. The probability would be, that such a change would be looked upon with suspicion and dislike, and for that very reason would not be carried into effectual operation."

Mr. GLADSTONE said, that the hon. Member had made an explanation, and had read some extracts; he wished, however, that he had continued reading a little longer, for he had just stopped at a very interesting part. The passage which he (Mr. Gladstone) had read, was the continuation of the letter. The object of the letter of the Governor of Van Diemen's Land was to show that it would be dangerous to alter the government of Van Diemen's Land from a single to a double chamber, while only one chamber remained in New South Wales; but he stated—and if the hon. Member had read on he would have seen the Governor's reasoning on the subject, which was as follows:—

> "Without, therefore, wishing or presuming to give an opinion on the general question of the best form of legislative body, I may say that, under the peculiar circumstances of these colonies, I should most strenuously recommend the adoption of a second or upper chamber."

Mr. HUME looked on the present debate as a most important one, for it involved the peace and tranquillity of the colonies. He was pleased with a great part of the speech of the noble Lord at the head of the Government. Nothing could be better than his promises and statements, and all they wanted was for them to be realised. Their colonies from north to south, and from east to west, were discontented, because they were never allowed to govern themselves. Instead of a source of strength, which they would be if well governed, these colonies were a cause of weakness, in consequence of the repeated blunders committed in the mode of governing them, and the manner in which they had been tyrannised over. What he wanted was, to see all causes of discord and discontent removed from the colonies, and not their separation from this country. If the noble Lord carried out the doctrines he laid down with regard to the Cape, he was sure they would give entire satisfaction. But if the principle he laid down were good for the Cape, with its 80,000 colonists, he did not see why it should not be equally good for New South Wales, with its 200,000. He agreed with the hon. and learned Member for Sheffield, that their other colonies would be discontented if they saw the people of the Cape obtaining better institutions than themselves, who were quiet, because the colonists of the Cape resisted, and defeated the Government. He therefore called on the noble Lord to treat all alike. Indeed he thought there should be an Act of Parliament, empowering the colonies to choose such institutions as they themselves liked best. He (Mr. Hume) was not one of those who feared a separation of their colonies; but he should say, he did fear separation if they continued to act towards them in the unkind and unjust manner they had heretofore done. The noble Lord had read to the House some chapters on colonial government; but he (Mr. Hume) could read for him chapter upon chapter condemnatory in the strongest measure of the proceedings of the Colonial Office, and complaining of the injury they suffered by reason of excessive taxation. Therefore he had to add his entreaty that the noble Lord who had first commenced, and commenced well, and he believed meant well, would continue, and assimilate the constitution of the other colonies with that which he intended to bestow on the Cape of Good Hope. He hoped and trusted, indeed he doubted not, that these colonies, as soon as they got the power of regulating their own affairs, would give their full attention to them, whereby an immense saving, in every point of view, would be effected for this country. Therefore, he thought the result would be a healing of the dissensions that previously existed, and that the boon of self-government would be the means of promoting happiness and contentment, and putting down discontent and dissatisfaction.

MR. ADDERLEY said, that he cordially concurred in the sentiments which had been expressed by previous speakers, that this debate should be conducted with calmness and moderation; for if ever there was a debate which called for a display of calmness and moderation, and the absence of all party feeling or spirit, it was that of to-night. He fully believed that the consequences of this debate, in the course of the present Session even, would be either to rivet for ever the attachment of our colonies to the empire, and to relieve this country, wholly or in part, of her military burdens and expenses, or to exasperate the colonies, to disappoint their cherished anticipations, and perhaps to lose many of them for ever. After the very able and lucid speech of the noble Lord at the head of the Government, and the debate which had succeeded it, he felt that it would be something like presumption in him to occupy, at length, the time and attention of the House; but he could not refrain from expressing his congratulation to the House, to the country at large, and to the colonies, that there was at last found in this country a party desirous of promoting extensive reforms in our colonies, and that there was a recognised channel now established for giving expression to the public opinion of the colonies in this country, which had already succeeded so far as to force the noble Lord at the head of the Government to place in its proper position of prominency among the debates of the present Session this great colonial question—which had already forced the Government of this country to modify very essentially the principles which it had previously laid down in the Constitution Bill—and which he hoped would at last succeed in placing the interests of the colonists upon a surer and sounder basis. With respect to the Colonial Reform Association, the noble Lord had made some remarks upon it; but his criticisms were of so mild a nature that he (Mr. Adderley) could hardly quarrel with them. The noble Lord had characterised some of the proposed plans as being "a matter of dubious policy." He thought, however, that they could bear with that criticism, on account of the great assistance which the noble Lord had given that night to the objects and aim of the Association. The only part to which the noble Lord seemed to object in the proposed plan of the Association, was the establishment of correspondence with the colonies; and the hon. Gentleman the Under Secretary of State alluded to the difficulties which attended the selection of accredited correspondents. To his (Mr. Adderley's) mind, however, the term "accredited" fully pointed out the nature of the proposed correspondence, and afforded a guarantee that it would not be correspondence pandering to the popular feelings of the colonies, and inviting complaints, but, on the contrary, calling for information upon all subjects affecting the interests of the colonies to open a free communication, and afford a free vent for the expression of the general feeling of the colonies —for giving the earliest information to this country, and for giving to the colonists a mode of expressing their opinion. If the noble Lord would suggest any mode by which they would attain the same objects more easily and more safely, they would be most thankful for the suggestion. As the noble Lord, however, had laid down the principle that British subjects were to be allowed to give expression to their opinions, he would, at all events, sympathise with the Association in their endeavours to supply the want of any mode of expressing that public opinion in this country. If the noble Lord would allow him to propose a contract, he would undertake to give up the "accredited" agents, if the noble Lord would give an elective council to New South Wales. He never felt the slightest reluctance in supporting the Government in bringing forward any measure which appeared to be adequate to the occasion; and if the noble Lord would bring forward such measures with respect to the colonies, he would most heartily give him his vote, and all the assistance in his power. He repudiated the notion that any opposition had been made to the colonial policy of the country from any personal hostility to any Minister of the Crown; but while he utterly repudiated any insinuation of that sort, he felt bound to say that he did not see in the scheme of policy laid down by the noble Lord any great advance beyond the measures of last Session, except in one particular paper, which had been produced from the Privy Council, suggesting a new constitution for the Cape of Good Hope, and which only appeared yesterday upon the table of the House. He did not see that any other great advance had taken place; if he had, he, for one, would have caught at it with the greatest earnestness. He could not agree with the other plans which had been laid down, or with the premises upon which they had been laid down, nor could he agree with the noble Lord in the historical sketch upon which he seemed to rest his policy and his statesmanship, when he stated that it had always been the policy of this country to give freedom to the colonies. By way of proof of that assertion, the illustration which the noble Lord used was, that whenever the prerogative of the Crown was highest in this country, liberty was then the greatest in the colonies. That was, no doubt, quite true; and Guizot, when speaking of the constitution of England, went beyond that, and stated, that whenever the liberties of England were the greatest, those of her colonies were the lowest. So it was that now, when the prerogative was the lowest in this country, the liberties of the colonies had all but disappeared. The reason why the constitution of the colonies had disappeared with the declaration of American independence was merely because this country adopted the plan of making her colonies penal settlements. It was the very constitution of a penal colony to have a despotic governor over it; and until they could introduce freedom into gaols, it would be impossible to introduce a pure constitution into a convict colony. The noble Lord had said, that if the colonies were to possess entire self-government, they would, upon the first moment of danger, appeal to some foreign country. Did history, however, bear out that assertion? Who conquered Canada for us? Was it not the colonial officers of America? Did the Americans appeal to France? The very first grievance which Franklin had to bring to England as the agent of Pennsylvania was, that England did not allow it to tax itself for the purpose of self-defence as they desired to do. They wished to place a tax upon the whole of the colony, including the proprietors. England, however, taking the part of the proprietors, refused to allow the taxation to that extent. A general rule appeared to be laid down by some hon. Members, that it was utterly impossible to draw any line of distinction between imperial and local subjects, and, in his opinion, that was fatal to the whole plan. The noble Lord had stated, that such a distinction was a necessary part of the plan of the Government; and they had only qualified the proposal made to them by saying that the imperial exceptions should be of very rare occurrence—as of course they must be—the rule being that there should be local self-government, with a very few specified exceptions. The application of this principle had appeared before the House in the shape of two Bills—one, a Bill for New South Wales, resuscitated from last year, with no alteration in it at all; and the other for the Cape of Good Hope, which had appeared within the last forty-eight hours. He thought that Her Majesty's Government had better allow the Colonial Reform Association to take the whole credit of this last measure, because otherwise it might be said out of doors that the Cape of Good Hope had got more than our other colonies, only because they had shown more spirit. But it had already been clearly shown, in the course of the debate, that the solitary ground advanced by the noble Lord at the head of the Government, and the hon. Gentleman the Under Secretary for the Colonies, for making this distinction between New South Wales and the Cape of Good Hope, was without any foundation. He hoped, therefore, that the noble Lord would see no objection to giving the colonists of New South Wales what they most heartily desired—the most exact imitation of the British constitution which circumstances might allow. He could not help thinking, however, that the noble Lord at the head of the Colonial Office had still too much attachment to his old system of colonial government, and that he still wished to see his own influence, and that of the governors whom he had appointed, supreme. He would call the attention of the House to a most extraordinary feature in the Cape of Good Hope constitution, which, he ventured to say, was a novelty not introduced in any form of constitution since the world began. He supposed that the noble Lord felt scrupulous about giving up altogether the principle of nomination, and that his scruples led him to make the extraordinary proposition that the Upper Chamber of the Cape of Good Hope should be elected by an electoral body of officials. This electoral body was formed in the most ingenious manner to carry out the principle of parties in the colony. He did not object to that, but he could only account for the extraordinary artificial manner in which the scheme was drawn, by attributing it to the noble Lord's objection to part with the principle of nomination. The right hon. Gentleman the President of the Board of Trade had said that the colony of New South Wales had expressed its assent to this Bill. He (Mr. Adderley), however, did not know how the House was to get at the expression of public opinion in that colony. The official tongue of the colony was tied by its connexion with Downing-street, and spoke only when the Colonial Office pulled the strings. The natural tongue of the colony had no utterance. What was the organ of public opinion in New South Wales? Was it the *Sydney Morning Herald?* He begged to say, that if any assent at all had been expressed, it was only in the form of an expression of gratitude for any change whatever, showing how eager they were for change, and how desperate their present condition was. It was alleged that there was a redeeming clause in this constitution of New South Wales—the clause which gave power to the colony to alter its own constitution. But he begged the House to bear in mind that whilst this clause was inserted in the Bill, its effect was neuralised by another, which reserved a veto to the Crown. He did not know whether it was worth while to take up any further the time of the House when the question had already been so fully discussed. He would only thank the noble Lord for his able speech, and remark, that in giving our colonies the power of self-government, Parliament would not yield anything to popular clamour, but would simply concede rights to which the colonists were entitled. A portion of the press had taken up the matter as if the schemes propounded by the noble Lord were a concession to a popular outcry; but he (Mr. Adderley) should be the last man in the world to yield anything to mere clamour. He would rather take arms against a colony than concede any claim of a rebellious tendency. It was because the grant of self-government was not a concession, but a restoration of the rights of British subjects, which our fellow-countrymen were entitled to abroad as well as at home, that he seconded the movement which the House was now making. There was great attachment felt in our colonies to the institutions of this country, perhaps even greater than what was felt at home. Many persons were led away by the presumed analogy between colonies and children; but even if they were to be treated as children, that was no reason why children's rights should be taken away. The very first ship-load of colonists that ever left the shores of this country were perfectly ready, on arriving at their destination, to assume the functions of self-government, and the colonies founded on this principle grew and flourished. It was because this plan had been reversed, and the colonies were treated as children under governors and tutors, that so much misgovernment had taken place in colonial administration. We had our own destiny before us, and that was one of the very highest in the world. Colonies had been founded in former times for the purpose of war and the purposes of commerce; but the noble Lord had pointed out that there were higher motives for colonisation than either of these objects—that freedom and civilisation for which it might be hoped the foundation had already been laid.

Mr. AGLIONBY observed, that the noble Lord at the head of the Government had made a remark on what he called the somewhat dubious policy of the Colonial Reform Association. Now he (Mr. Aglionby) saw no dubious policy at all in the proceedings of the Association; and he believed that its principles were based on truth, and that its action would be useful to the country. He could not help thinking that it would do good, both by encouraging Her Majesty's Government to persevere in the course which they had adopted, and by calling the attention of the public, and of Members of that House, to the subject of colonial reform. He did not think the worse of the Association for wishing to have accredited agents from the colonists. Information was much wanted, for the Colonial Office now relied on the statements made by governors, who did not always agree in opinion with the population over whom they presided. A very important remark had been made by the hon. and learned Member for Sheffield, that it was both difficult and dangerous to give one form of government in one colony, and a different form in another. But he regretted to observe, that, with respect to New Zealand, the noble Lord held out no hopes of a constitution, except under its present nominee form, until the 7th March, 1853. Would that be tolerated? He ventured to say that the noble Lord would find it impossible to withhold one for so long a period; and he begged to call the attention of the House to this point, because when the Bill was brought before Parliament, and he found that New Zealand was not included in it, he should use his best exertions to extend the provisions of the measure to that colony. The history of New Zealand in this respect was most peculiar. In 1846 a constitution was granted, which was suspended on the 7th March, 1846, although the Government had the testimony of its own officer, Governor Grey, that the southern province was as fit as any in the world for representative institutions, although he did not think that the situation of the northern province was adapted for them. The constitution, however, was suspended *in toto.* The noble Lord said, that he would not give New Zealand a constitution on account of the natives. There were, certainly, some natives in the extreme north of the island, though not in the southern province; and in the middle island, a country as large as England, there were only 2,000 natives. As he had said before, when the Bill was brought forward he should press the claim of New Zealand for a constitution generally; and if he were defeated in that attempt, he should move that a constitution be granted to the southern province. The refusal of a constitution had produced the most deadly feud between the Governor of New Zealand and the colonists of the southern part of the island. He had been openly charged with deceiving the Government at home, and he would, therefore, caution the noble Lord not to reply too strongly on the opinions expressed by Governor Grey. He would now only thank the noble Lord for the gratification which he had experienced in hearing from him the very liberal sentiments which he had avowed in favour of self-government and representative institutions in the colonies.

Mr. SCOTT said, the right hon. Gentleman the Vice-President of the Board of Trade had justly observed, that nothing was of greater importance than that our discussions on colonial matters should be conducted in that House with temper and caution; for that whatever occurred there was sure to reach the colonies, and there to be criticised and commented on. If, then, it were desirable that they should avoid falling into inaccuracies in the heat of debate, how much more important was it that statements deliberately and authoritatively made should be unimpeachable. He regretted that such was not the case as to what had fallen from several Members of Her Majesty's Government on the subject of two independent chambers of the legislature of New South Wales. There never was a greater misconception—a statement more erroneous in point of fact had never been made in that House—than the declaration of the noble Lord at the head of the Government, echoed by the right hon. Gentleman the President of the Board of Trade, and repeated again by the hon. Gentleman the Under Secretary for the Colonies—that the decision of the Committee of the Privy Council, in favour of a single chamber in New South Wales, was in consequence of, and in conformity with, the wishes of the colonists. The right hon. Gentleman quoted the opinion of the *Sydney Morning Herald*, as showing the opinion of the colony on the subject. That journal has the widest circulation, is the best conducted, and the most respectable in the colony; but when a house of legislature is sitting, no editorial remarks are to be taken as the index of the opinion of its members. Let them learn the opinion of the members from themselves. He might as well quote the opinions of the London *Morning Herald* as reflecting the opinions of the Parliament or the Government of this country. At the time alluded to by the right hon. Gentleman, the Legislative Council was sitting, and there was ample opportunity of obtaining the opinion of that body. Why, he would ask, did he not state an opinion founded on the authority of the representative body in the colony? The right hon. Gentleman the Member for the University of Oxford had justly said that only one Member of the Legislative Assembly had expressed an opinion against a second chamber. The gentleman to whom allusion was made, was Mr. Wentworth, who certainly had expressed an opinion against a second chamber the members of which were to be nominated by the Government; but this would hardly be regarded as an opinion against a second chamber. The hon. Member the Under Secretary for the Colonies had said that one of the greatest arguments for a single chamber was, that it was "an essentially popular" assembly; and as a proof of this, he stated that if twelve members of it were nominated by the Crown, twenty-four were elected by the people. If, then, in that House 200 Members were nominated by the Crown, and 400 Members were elected by the various constituencies, they would have, according to the hon. Member the Under Secretary, a fair specimen of "an essentially popular" assembly. He (Mr. Scott) was altogether opposed to the Crown nominees sitting in either of the colonial chambers. Every gentleman who had been in these colonies knew that there were ample opportunities for the Government officers to obtain seats in the chambers by popular election; and the fact was, that several persons holding official appointments under the Colonial Government in New South Wales, had been elected Members of the Council. He entertained some doubts with respect to the society to which the noble Lord had adverted; but it should be recollected that peculiar circumstances had led to its formation. He would ask the noble Lord to name a colony in which there was not last year either distress or disturbance. The condition of the whole of our colonial empire was such as to occasion great alarm; and a strong feeling was excited that the connexion between the mother country and the colonies should not be severed by the vacillation of the Colonial Office. He was perfectly convinced that if the noble Lord had during last Session acted on those liberal views on colonial government which he had stated in so able and comprehensive a manner tonight, there would have been no desire to form such a society. The noble Lord had stated that the cause which led to the loss of our North American colonies in the last century, had been more the arbitrary nature of the government, than the unsteady policy which had been pursued. If this had led—and he believed it had—to dismemberment in the last century, the like causes were likely to have the same effects at the present time. We had pursued a policy the most vacillating and inconsistent. If they looked to the proceedings of the Colonial Office with regard to these colonies during the last three years, what did they see? A constitution had been sent out to New Zealand which had been acted upon for one year in one of the islands, and then abandoned, and which had not been adopted at all in the other. Again, within the same period transportation to Van Diemen's Land had been abandoned, and again readopted after some time, again abandoned, and since then again adopted. In 1846, the Under Secretary for the Colonies sent out a despatch to New South Wales announcing the grant of a new constitution. This constitution proved a mistake, and despatches were sent out in 1847, again in 1848, and again in 1849, each proposing to change the form of it. To Canada, in like manner, a despatch deeply affecting its social condition was sent out by one packet, and another despatch to undo the former forwarded by the very next mail. Such was the shifting system of our colonial policy as carried out by the Colonial Office. Its effects have already been partially developed in Canada, and if persevered in, results yet more disastrous may follow elsewhere.

Colonel THOMPSON would propose a question, an answer to which would be interesting to large classes in the country. In the colonial constitutions which are to be, is provision made for admitting the aborigines and their descendants to the full enjoyment of political privileges, on their complying with reasonable conditions? It was clear, for instance, that the New Zealander stood in precisely the same position as our British ancestors did to the Romans. If then he chose to "clothe his pink'd and painted hide," and conform to the rules and habits of English society, was the way open to him to the privileges of a "true-born Englishman," like any other of the elements out of which that heterogeneous being had been compounded?

Mr. HAWES had satisfaction in stating, that under British rule aborigines were entitled to every privilege of British-born subjects, and in fact were such whenever they complied with provisions made and provided.

Then it was

"1. *Resolved*—That provision be made for the better Government of Her Majesty's Australian Colonies.

"*Resolved*—That the Governors and Legislative Councils of Her Majesty's Australian Colonies be authorised to impose and levy Duties of Customs on Goods, Wares, and Merchandize imported into such Colonies."

Resolutions to be reported on Monday next.

PARTY PROCESSIONS (IRELAND).

Sir W. SOMERVILLE said, that in rising, in pursuance of the notice which he had given, in compliance with a pledge made at the close of last Session by his right hon. Friend the Secretary for the Home Department, to move for leave to bring in a Bill to restrain Party Processions in Ireland, he should take the opportunity of briefly stating to the House the reasons which induced the Government to ask for this measure; and he would also shortly describe the nature of the Bill. The House was aware that this was not the first time the Parliament had been called upon to legislate on the subject. Unfortunately, in former times, party processions and party collisions frequently took place in Ireland. Formerly, attempts by proclamations, and by the authority and example of influential persons, were made to put a stop to such a state of things, but unfortunately all these efforts failed. In consequence of this, in 1832 a Bill was brought into that House, to restrain and put down these party processions. That Bill, which was for a limited period, was passed into a law, and it was renewed, at different times, until in June, 1845, it was allowed to expire. From that time to the present no such enactment existed for the purpose of putting down such processions. He wished he could say there had yet been no occasion to pass such an Act as existed at the time it was allowed to expire, in 1845. Since that time many influential Gentlemen, both by warning and exhortation, had endeavoured to put a stop to those proceedings; and the Government also, with the same object, on the approach of certain anniversaries, had directed additional forces of military and police to be sent into those districts in which such processions were expected to take place, but unfortunately those efforts had failed. Party processions had occurred at various parts of the country, and collisions had taken place between different classes of the people; and the consequence was that bloodshed had followed, and the greatest ill-will prevailed. In such a state of things he thought it would be considered the duty of the Legislature to interfere by some specific enactment on the subject. It might be true that by the common law these processions, as tending to a breach of the peace, might be punished as misdemeanors; but, unfortunately, it had not been found sufficient to meet the evil. In the few remarks he had offered to the House, he had not alluded to particular cases. It had been his wish to avoid them, because the Bill he proposed to bring in was not aimed at any particular party; and if he had been led into particular allusions, he should have incurred the risk of disturbing that unanimity and general concurrence of all parties which it was his wish to secure. He was sure that there was no Gentleman in that House who did not feel an anxiety to put an end to these unseemly scenes, and to put down a system which had been productive of so much evil. These party processions had caused loss of life and destruction of property, but not that alone; for they had tended to keep alive feelings of animosity and ill-will among the inhabitants of the same district, and thus retarded the coming of prosperity. That was a state of things which every Gentleman, on what side of the House soever he might sit, must desire to put a stop to. He would say no more on that point. He should have been well pleased if such a condition of affairs had existed as to render this measure unnecessary, and that special legislation had not been called for by party views and feelings. As the case stood, however, he had felt it his duty to propose this Bill to the House. Of the object and nature of the Bill he need only say that it proposed to deal with offences of this description in the same way as in the former Act—by summary jurisdiction; and that it was proposed to make this Bill perpetual.

Leave given.

Bill ordered to be brought in by Sir William Somerville, Sir George Grey, and Mr. Solicitor General for Ireland.

The House adjourned at half after Eleven o'clock till Monday next.

HOUSE OF LORDS,

Monday, February 11, 1850.

MINUTES.] PUBLIC BILLS.—1° County Cess (Ireland); Railways Abandonment; Administration of Justice (Ireland.)
2° Ecclesiastical Commission.

EDUCATION (IRELAND).

The EARL of STRADBROKE presented a petition from the parents and guardians of children, both Roman Catholic and Protestant, attending the school of Kilronan, in the county of Waterford, stating that the school is in connexion with the Church Education Society for Ireland, one of the rules of which is, that the holy Scriptures, in the authorised version, shall be used in the daily instruction of every child capable of reading—that the petitioners approved of the rule, as tending to bring up their children in the way they should go—but that in consequence of this rule the school was precluded from participating in the advantages of the Parliamentary grant for promoting the education of the poor of Ireland. The petitioners, therefore, prayed that the school, and all others of a similar character, might be permitted to participate in the said grant for national education, without being required to abandon this rule.

Petition ordered to lie on the table.

RATE IN AID.

LORD MONTEAGLE moved that the accounts which had been kept under the Rate in Aid Act should be produced forthwith.

The MARQUESS of LANSDOWNE said, they were in course of preparation, and would shortly be laid before Parliament.

STEAM COMMUNICATION WITH AUSTRALIA.

EARL TALBOT rose to put a question to the noble Secretary for the Colonies. He wished to know whether the Government intended to establish any such communication; and, if so, whether it was to be by the route of Singapore, or by that of the Isthmus of Panama?

EARL GREY said, that contracts had been called for to conduct that communication in the most comprehensive manner. All the tenders which Government expected had not yet been received, and therefore it had not finally considered what route ought to be taken. The ultimate decision would partly depend on the terms which could be agreed upon.

AFFAIRS OF GREECE.

LORD STANLEY said, that since he had last adverted to this subject, information on the affairs of Greece had been received by the public, in an official shape, which threw rather more light than they had formerly had on the real nature of this case. He did not press for the premature production of the papers which the noble Marquess had promised on a former occasion; but he must say, that the postponement of those papers to a period when the events had ceased, and the public interest had subsided, was not the most convenient course to adopt. He saw in the French newspapers that the official correspondence between the different Ministers of England, France, Russia, and Greece, had been published at Paris, not indeed by the French Government, but still in such a shape as placed the whole of it before the public of France. He also saw that a conversation had taken place in the French Chamber of Deputies upon that correspondence; and it was there stated, that the mediation of France had been offered to this country on the differences in question, and that it had been accepted by the English Government. He rejoiced that anything had occurred to put a stop to the hasty and injudicious proceedings which had been taken, without any justification, by our Minister and the British Admiral against the Government of Greece. He could not, however, help saying, that if the mediation of France had been accepted by our Government, England was placed in a situation the most humiliating, whilst France might well be proud of the exalted position which she occupied as one of the protecting Powers of Greece in accepting such a mediation; and although certainly the acceptance of the mediation was preferable to its rejection, he should have preferred that no occasion had been given for any reference whatever to France; still, when a mediation was tendered, he conceived the Government to be at liberty to accept it. He was sorry to find that the statements made in these official documents did certainly justify him in the declaration which he had made on a former night, that our Minister had used the unwarranted expression that, "be they just or be they unjust, our claims must be acceded to—and that his orders were so peremptory that he had no discretion to enter into any further discussion upon them." Now, if it were true that the mediation of France had been accepted, he rejoiced that it would put a stop to proceedings so inauspiciously commenced, and so likely to produce more aggravated violence hereafter. But the acceptance of that mediation now was grossly inconsistent with the refusal of the mediation previously offered, and with our insisting, at the point of the bayonet, or, he should rather say, on the roar of our cannon, upon immediate redress. The first question which he begged leave to put to the noble Marquess was, whether the mediation of France had been tendered to England, and had been accepted by the English Government? And the next was, whether that mediation, if it had been accepted, extended merely to the indemnity claimed for certain British subjects, or whether it extended further, to the still more important question as to the right of Greece or of the Ionian Republic to the possession of the islands adjoining them? The noble Marquess had stated, on a former evening, that there was a broad distinction between these two sets of claims; and the latter were not included in the categorical demand of our Minister, Sir Thomas Wyse. He wished also to be informed whether any attempt would be made to take possession of the disputed islands before the mediation was concluded?

The Marquess of LANSDOWNE had no hesitation in answering the question of the noble Baron. In the first place, as to the production of the papers which he had promised on a former evening, he had the satisfaction of telling the noble Baron that no unnecessary delay—nay, more, that no necessary delay, would prevent their almost immediate delivery, and that in a few days they would be laid on the table of the House. The noble Lord, referring to the proceedings of a deliberative assembly in another country, asked whether this country had acquiesced in an offer of mediation made by the Government of France. He (the Marquess of Lansdowne) had to state that the Government of this country had received and acquiesced in the offer made by the French Government to interpose its good offices for the purpose of settling this question. Though the noble Earl opposite was as well aware as any man could be that there was some difference between the terms "mediation" and "good offices," he must inform the House that there was a still wider difference between the terms "mediation" and "arbitration." Her Majesty's Ministers took the interposition of the good offices of France in the same sense in which they had accepted it in the dispute which we had with the King of Naples some two or three years ago. The same offer of "good services" which we made to France some time ago, when there was a dispute between France and the United States, had been renewed to us. The interposition of our good services at that period had been attended with results satisfactory to all parties; and he said on the present, as he said on all occasions, that where the offer of such "good services" was made in a spirit of good faith, it was for the interest of England, and, indeed, of every other country, to accept it. No offer of "arbitration" had been made in this case, and none had been accepted. The noble Baron had expressed his regret that the offer of their good offices, when made by the French and Russian Ministers at Athens, had been rejected, although such offer had been subsequently accepted. There was this wide distinction between the offers: the first was not authorised by the Governments by which those Ministers were respectively accredited; neither did those Ministers know whether their Governments would sanction the offer which they had respectively made. The British Minister at Athens was therefore justified, in his (the Marquess of Lansdowne's) opinion, in having declined that offer. The noble Baron had likewise asked whether our claim to the territorial possession of two islands was to be submitted to the good services of France? That question was not included in the offer and acceptance of the good services of France. It was a question which stood on totally different grounds, and which, as it was not included in the *ultimatum* proposed to the Greek Government, was excepted from the interposition of France. The nature of our pecuniary claims, and the amount of our pecuniary indemnity, were the only questions on which the "good offices" of France had been accepted.

LORD STANLEY observed that no answer had been given to one of the questions which he had asked—whether, in the event of our territorial requisitions being refused, Her Majesty's Government would approve of any measures for taking forcible possession of the islands in dispute?

The MARQUESS of LANSDOWNE had no reason to believe that any such steps would be taken.

In reply to a question of Lord BROUGHAM, respecting the island of Cervi,

The MARQUESS of LANSDOWNE said, that the question of territory was not raised in the categorical demand of Sir Thomas Wyse, and was purposely excluded from it.

LORD BROUGHAM was afraid that there was no doubt as to the fact of our vessels having taken possession of some Greek ships of war.

The MARQUESS of LANSDOWNE stated that there was no truth in the statement that ships of war had been seized by our cruisers; but that the Greek vessels were confined to a station in which they were under *duress*.

LORD BROUGHAM: That is, they are under imprisonment.

The EARL of ABERDEEN agreed with his noble Friend near him in expressing his satisfaction that the mediation offered by the French Government for the settlement of this affair had been accepted, because it seemed to him the only means of extricating our Minister and Admiral from the situation, both highly embarrassing discreditable, in which they now found themselves placed. There was some little inconsistency, however, in the statements which had been made, for the noble Marquess had now agreed to accept the mediation of France in the settlement of claims which last week he pronounced to be indisputable, and he had dropped the mediation of France with respect to that which he admitted was not certain—namely, the territorial question. We had also declared to Greece, that it was no longer a question of justice or injustice, but that the claims must be satisfied in twenty-four hours; yet we now not only admitted, and were ready to inquire ourselves whether the clauses were just or unjust, but we called upon France to examine and decide that question.

The MARQUESS of LANSDOWNE: It is not an arbitration.

The EARL of ABERDEEN was aware that it was a mediation. He thought the Power that had most reason to complain of Her Majesty's Government was the Government of France. They professed to cultivate the most friendly relations with the French Government, and they did well; but what was the sort of understanding which existed between them? Had they communicated to the French Government their intention? Had the English Minister at Athens, or the English Admiral communicated to his French colleague their intention? Had Her Majesty's Government made such a communication to France, he could not doubt that that mediation might have been offered, and might have been accepted, in a very different manner, and with much better character, than after the unfortunate proceedings of violence which had taken place. For what was the result? This was a specimen of that policy which had so long had for its object to counteract French influence. They had now taught Greece to consider France as her protector and saviour against British violence, and they were contented to receive lessons of moderation and justice from republican and revolutionary France, with a "Bonaparte at her head." He must say he thought that was a position which it would have been well to have avoided, by that friendly communnication which France had a right to expect from us, before we undertook a measure of this violent description in a country with which she was so closely connected. The noble Marquess must know, as well as himself, the sensation which a proceeding of this kind must necessarily produce in France.

He must know perfectly well, that if this country had not accepted the mediation of France, in that case it would have been unavoidable that France should have placed herself in an attitude of direct hostility to this country, or else the French Government would have been shaken to its very foundations. Now, he said that was not the way to treat a Government with which you professed to be on the most intimate and friendly footing. Therefore, although the acceptance of the mediation was not only wise, but necessary, he thought it would have been highly desirable if that mediation had been accepted before any violence was accomplished; and he had not the least doubt that it would have been offered had the communication been made which France had a right to expect. There seemed to be some confusion or misunderstanding on the subject of the separation of the territorial claims. He found in the papers published at Athens that this claim was combined with the rest. The Greek Minister did not appear to make any distinction between the private demands for pecuniary compensation and the cession of territory. However, he took for granted that the separation had been made now, at all events, whether it was so or not at the time of the demand being made by Sir Thomas Wyse. He was quite aware that the demand for the possession of the islands was one which might very fairly admit of much discussion; it was a very complicated subject, and one of extreme difficulty. He was at a loss to understand why the claim had been made for those two islands, because the question referred not to two but to twenty, there being a considerable number of others in precisely the same situation. He was happy to hear that this subject had been separated from the other demands. At the same time, it would be very satisfactory if the noble Marquess were enabled to say, from what he knew of the claims and the manner in which they have been met, that there was no danger of any forcible proceeding having been adopted with respect to these islands; for, if he was not much mistaken, the exaction of that part of the demand being entrusted to Sir W. Parker, it would be in his power, and as he had reason to believe, according to his instructions, to take possession of those islands without further application to the English Government.

The MARQUESS of LANSDOWNE would offer only one or two words in explanation after what had fallen from the noble Earl. Had the observations just made not proceeded from a person so thoroughly conversant with all diplomatic practice as the noble Earl was, he should have supposed that the noble Earl was throughout confounding arbitration and good offices. In one of the speeches he had made, the noble Earl himself plainly adverted to that distinction, and, notwithstanding, both before and after having done so, he argued on the assumption that we were placing France in a situation to arbitrate between us and Greece. We had done no such thing. The noble Earl was perfectly aware that the acceptance of good offices from France was no acceptance of any arbitration, and amounted to nothing binding upon us. But the noble Earl said that was inconsistent with his (the Marquess of Lansdowne's) having stated on a former occasion that we had indisputable claims. Why, what he stated was, that we had indisputable claims to an amount of compensation; but it did not follow that the precise amount of compensation was not capable of being assessed and regulated by the good offices of a friendly Government. And it was precisely in that way, after having made assertions of being entitled to peculiar compensation, that this country had interfered on behalf of other countries, and that other countries had interfered in our behalf, not admitting, in the slightest degree, a doubt as existing in reference to the justice of the claim, but admitting the possibility of assistance being afforded by a third party towards settling the amount of the demand, and the extent of interference. The noble Earl thought there was some shame to this country in having accepted an offer from France. If, indeed, the offer of these good offices had been made in the spirit which the noble Earl had suggested, for which he had supplied reasons the most inconclusive in his mind, probably there would have been a difficulty in accepting that mediation, and Her Majesty's Government would not have had that advantage which the noble Earl stated they might now have. But fortunately the offer was made in a spirit totally opposed to the observations of the noble Earl; it came unaccompanied by that tone of complaint and of insolence which would have created a difficulty in accepting it. The offer was made in the most friendly spirit. It assumed nothing but the notoriety of the facts. Upon that notoriety it assumed it to be a misfortune that any such facts had occurred; and offered to endeavour to put an end to any serious consequences arising from those facts. With reference to the territorial claim, orders had been issued on that subject totally different from those which applied only to the categorical demand; and those orders might or might not have been acted upon—he could not say; but, as he had already said, instructions had been sent out for suspending the operations of the fleet. He was obliged to the noble Earl for assuming we had something like a claim, on the part of the republic of the Ionian Islands, to the territory of the islands in question. His opinion to-night was in direct opposition to his opinion on a former night. He was glad to find that the noble Earl now admitted that we once had, and might have now, some claims to these islands. Whether the negotiations had been conducted in a manner consistent with the dignity of this country was a question he would leave to be decided by the papers which would be presented in a few days, although the noble Earl had thought it necessary to anticipate his conclusions by pronouncing an unqualified condemnation of the course pursued by Her Majesty's Government.

The Earl of ABERDEEN said, the noble Marquess had misrepresented what he had stated in relation to the islands. He admitted last week that there might be a good claim to them on the part of this country, but he deprecated the mode of exacting it by demanding a cession of the territory in four-and-twenty hours; and he also admitted now, because he was more fully informed as to the particulars, that the claim was a doubtful question. But he had no doubt whatever that it was a most unjustifiable proceeding to exact a cession of the islands twenty-four hours after the demand had been made. The noble Marquess formerly insinuated that he (the Earl of Aberdeen) had himself made a demand for the cession of these islands, and observed that he had changed his opinion with regard to our rights. The noble Marquess was completely mistaken in that respect. He had never made any such admission. Sir Edmund Lyon made the demand three or four weeks before he (the Earl of Aberdeen) had entered office, by virtue of instructions from his predecessor, about which he knew nothing. The noble Marquess, therefore, was not to consider that demand as one proceeding from his instructions, or that he entertained any such opinion as that imputed to him. The noble Marquess must have been misled, he supposed, by information from the Foreign Office; but he could tell the noble Marquess there was more in that office than was "dreamt of in his philosophy." He recommended the noble Marquess, for it was not the first time he had found the caution necessary, to be upon his guard. There was a familiar from that office at his elbow (Lord Eddisbury) who would also do well to be cautious. Certainly he had given no such instructions as those the noble Marquess seemed to impute to him. But he was not quite at ease on the subject of these islands, in consequence of what had fallen from the noble Marquess. The noble Marquess said the cession of that territory was no part of Sir Thomas Wyse's categorical demand, but that other instructions had been sent out respecting it, which might or might not have been acted upon. He (the Earl of Aberdeen) very much feared that it would turn out that those instructions left the admiral a latitude as to taking possession of the islands; and if that should be the case, the question would become very serious indeed. He had not insinuated that the offer of mediation from the French Government had been made in any other than a friendly manner, on account of the great difficulty and embarrassment in which this country was placed by what had occurred in Greece. He had only said that our policy had for years been professedly to counteract what was called French influence in Greece, and that we had now unadvisedly done that which must establish it in the heart of every Greek in the kingdom.

Lord EDDISBURY could not sit still after what had just fallen from the noble Earl. Fortunately, no long time had elapsed since the last discussion on this question; and he appealed to all their Lordships who had heard it whether the noble Earl had not distinctly stated that he had consulted the map which was an "annex" to the treaty signed by himself, and that so conclusive was that map on the question that he entertained no doubt that the Ionian States had no claim whatever to these islands. Further consideration, and further information, as the noble Earl himself confessed, had compelled him to modify his opinion; and he (Lord Eddisbury) hoped that further time and further investigation would compel him to modify it still more. The noble Earl had stated that regarding one of the islands, Cervi, not Sapienza, there could be no doubt whatever, was included in that map in the Greek territories. [The Earl of ABERDEEN dissented.] He (Lord Eddisbury) was startled at that statement. He too had seen the map. The line drawn upon it, which the noble Earl declared to be destructive of our claim, seemed to him to establish it beyond contradiction. The object of the line was merely to mark the difference between the Turkish and Greek possessions in the Archipelago. The present was not a question of interference with foreign countries, but a question of procuring justice for injured British subjects. It became their Lordships to see that no injury was done to British subjects in foreign countries with impunity. He regretted to find that on every occasion the noble Earl took up the cause of those who were, he would not say the enemies of Britain, but who were ready enough to encroach upon the rights of British subjects. It was not sufficient for the noble Earl to say that we were a great country, and that we ought not to bully small States. The noble Earl well knew, from his long experience, that the countries which refused justice for wrongs inflicted were generally small States; and that a great one would hesitate long before it committed an act of injustice; knowing that it must be responsible for such misconduct. The noble Earl himself had been engaged in enforcing justice from countries not larger nor more powerful than Greece. Our present demands on Greece had no relation to that protectorate of it which we had undertaken to exercise in combination with France and Russia: but were simple demands for redress for injuries done to British subjects, to whom justice had been pertinaciously refused, and in the settlement of which England and Greece were alone concerned. It was most undesirable that a premature discussion of this kind should take place. The noble Earl had spoken contumeliously of the French Republic with a Buonaparte at its head; and of the French Government with its shaken foundations, if indeed it had any foundations; but he Lord Eddisbury) must say that it was a republic which had always acted honestly and fairly towards this country.

The EARL of ABERDEEN must say one word to their Lordships by way of explanation. He thanked the noble Baron for the reference which he had just made to the map, though he scarcely knew what to say in answer to his remarks, except it were to repeat, verbatim, everything which he had said last week. He had not seen the map since the year 1830, but from his copy it appeared that the isle of Cervi was given to the Greek kingdom. He admitted that it was so given without any previous examination and inquiry, but with a conviction that, as it was so near the Greek shore, it must belong to Greece. He thought, however, that that point was now open to discussion.

LORD EDDISBURY reminded the House that, in the opinion of the noble Earl himself, that which was positive the other day was not positive now. He insisted that strong objections had been made from time to time against the Greek occupation of these islands.

LORD COLCHESTER observed, that from the time when the Ionian Islands were first constituted independent States, he had always considered all the islands on the coast of Greece, and between the Morea and the Ionian Islands, to belong to the Ionian Republic. The whole question, however, hinged upon another; and that was, whether they had belonged to Venice and had been ceded by her to the Ionian Islands? He had nearly been called upon to take a very decisive course as to these islands when he was in command of a British vessel on the coast of Greece, during the time of Ibrahim Pasha's invasion of Greece. He believed them to belong to the Ionian Islands, and was prepared to occupy them as such had they been seized by the Turks.

LORD BROUGHAM observed, that there was a party in this case to whom he thought that only scanty justice had been done in this discussion. That was M. Londos, the Greek Minister, who had drawn up a most dignified and touching statement relative to the treatment of his country in this matter; a statement which he considered worthy of the heroic and illustrious ancestors from whom he was descended. M. Londos appeared to have taken a very different view of our demands from that taken by his noble Friend opposite. He drew no distinction between our claims for territory and our claims for money. That was owing to the way in which his friend Sir T. Wyse had put forward our demand. On receiving our demand, M. Londos applied to the French Minister for his intercession on behalf of the Greeks; and to that application the French Minister at once acceded. M. Londos also applied to the Russian Minister, but the Russian Minister did not accede to his application; on the contrary, he sent to St. Petersburgh for instructions. Could anybody doubt that the Court of St. Petersburgh would be but too happy to give its Ministers instructions to comply with the application of the Greek Minister, and to encourage him to offer his "good services" also? The palate of the Court of Russia was especially gratified with the taste of a Mediterranean island, and doubtless she would support any measure which had the remotest tendency to produce for her that gratification. He did not see how we could refuse the good services of Russia after we had accepted those of France. He thought that such a measure as the taking the ships of Greece into our custody was calculated to lead to much greater evil than that which it was intended to avert.

VISCOUNT CANNING had also examined the map which was annexed to the treaty of Lord Aberdeen. It contained a line marking the boundary of Greece, so far as regarded Greece and Turkey. That line passed to the east of all the islands given to Greece by the treaty of 1830, and came to the Morea. It was then prolonged eastward, from Cerigo to Greece. There could be no doubt in the mind of any reasonable man that it was intended to give the island of Cervi to Greece, and not to Cerigo. If that point were to be decided by the map, the island of Cervi belonged to Greece, and not to the Ionian Islands.

Subject at an end.

ECCLESIASTICAL COMMISSION BILL.

The MARQUESS of LANSDOWNE, having moved that this Bill be read a second time, said he would beg to offer a few observations for the purpose of distinctly stating what the objects of the measure were, and in what way he proposed to carry those objects into effect. He need not dwell on the circumstances attending the creation of the former commission. Their Lordships would recollect that about 1835, in consequence of many remarks made in and out of Parliament as to the then state of the revenues of the Church, it was proposed to appoint a Commission to determine in what way those revenues could be better applied and distributed for the benefit of the Church. A Commission was accordingly appointed, which, in the following year (1836), made a full report on the subject. That report met with the full approbation of Parliament and of the Government, and in pursuance of its recommendation a Commission was appointed in that year, 1836, to give effect to an improved distribution of the Church revenues. That Commission, consisting of thirteen members, some ecclesiastical and some lay, proceeded to carry into execution the recommendations of the previous Commission, and to devise certain schemes, which, submitted for the approbation of Parliament by the channel of the Privy Council, were to be carried into effect by Orders in Council, and he believed very beneficially so. A great many such schemes were carried into effect; but after a time certain changes were made in the composition of the Commission, which, in his opinion, had not had the result of better qualifying the Commission for the then increased magnitude of their task, but rather, with the best intentions on the part of the members, of diminishing their aptitude for that purpose. The alteration made in 1840 enlarged the limited number of thirteen to forty-nine, including the whole bench of bishops. Now, the Commission having to deal with very difficult, very important, and very complicated pecuniary interests, and being composed of so large a number of persons, none of whom were bound constantly to attend, and any portion of whom attending were subject at any time to the interference of any others of the numbers, a body so composed had rather the effect of retarding, and, perhaps, of confusing its own proceedings. Many of the regulations adopted were calculated to have the same result; such, for example, as that which subjected any person in the room who happened, by reason of his seniority in rank, to fill the chair, to be displaced at any point of the proceedings by any other person, his superior in rank, who might happen to come in. There were many subordinate regulations equally objectionable. Yet, when the importance of the interests involved was considered, it was obvious that the utmost attainable efficiency ought to be secured. The Commission had to deal with property derived from episcopal funds, of not less in amount than 16,000*l.* a year, and with property derived from what was called the common fund not less in amount at present than 136,000*l.* per annum, and which would, before very long, attain the amount of 300,000*l.* per annum, derived from all manner of sources, from all manner of interests; from property leased on lives, on years, on renewals by fine, all necessarily requiring the most constant and vigilant attention on the part of the Commissioners. He was not surprised that a

Commission so composed and so enlarged should fail to attain the object in view—the equal, prompt, and beneficial application of the funds thus derived from the Church. It was admitted on all hands that a state of things had arisen which made it imperative to alter and amend the composition of the Committee, and he would, therefore, briefly state to their Lordships what were the provisions of the Bill which had been prepared for the purpose of rendering the Commission more efficient for securing greater attention to the important details involved, and to the pecuniary interests intrusted to the Commission; so that these might not be left to the incidental care of persons who might attend at one time and not at another. It was proposed by the Bill to name three Commissioners for the management of these Church estates, to be called the Church Estates Commissioners. In the report of the Committee of the House of Lords it was recommended that all the three Commissioners should be paid Commissioners; but, on reflection, it had been considered that it would be sufficient to have only two of the Commissioners paid Commissioners, and that a third Commissioner might be found, fully competent to the task, whom it would not be necessary to remunerate for that particular service. The Bill provided that these three persons should compose an independent Commission of three Commissioners, one of them to be named by the Archbishop of Canterbury, and the other two by the Crown; the paid Commissioner appointed by the Crown to be the chairman of the Estates Committee, and to be paid an allowance of 1,200*l.* per annum; the paid Commissioner named by the Archbishop of Canterbury to be paid an allowance of 1,000*l.* per annum for his services. In order to secure adequate attention to the business of the Commission, and to prevent those accidents which had occurred under the late arrangement, it was provided that no act, matter, or thing should be done at any meeting of the Church Estates Commissioners, unless two of the Commissioners were present. Another provision, the necessity of which had been enforced by a recent unfortunate circumstance, was that the offices of secretary and of treasurer should not be filled by one and the same person; but that the office of treasurer should be jointly filled by the chairman of the Commission, and the Church Estates Commissioner appointed by the Archbishop of Canterbury. Another clause provided that fixed incomes might be secured to those bishops, appointed after the 1st of January, 1848, who might prefer such fixed incomes to fluctuating annual incomes. By another clause it was provided, that henceforth what was called the "episcopal fund," arising from the diminution or alteration of episcopal revenues; and the "common fund," arising from the diminution or alteration of the revenues of deans and chapters, and other like sources, should form one fund, applicable to all the purposes conducive to the efficiency of the Established Church, now separately provided for by these funds. The only other clause to which he need refer, was one by which it was provided that the income of future Deans of York should not exceed 2,500*l.*, that the future income of the present Deans of Salisbury and Wells should not exceed 1,500*l.* per annum; and that the income of future Deans of Chichester, Exeter, Hereford, Lichfield, Salisbury, and Wells, should not exceed 1,000*l.* per annum. The noble Marquess then moved the second reading of the Bill.

The ARCHBISHOP of CANTERBURY said, he had great satisfaction in expressing his entire concurrence in what had fallen from the noble Marquess as to the desirableness of making an alteration in the Ecclesiastical Commission; for his part, he should have been very glad had such an alteration been made some years ago, but for the reflection that, in a pecuniary point of view, this would have been accompanied with the subtraction for salaries of so many thousands of pounds from the funds of the Church. It had now, however, become essential no longer to delay the change. The increasing business of the Commission, the many intricate negotiations in which it was involved, and the still greater number likely to devolve upon it, rendered it essential that there should be some responsible officers directly and distinctly charged with the administration of such important affairs, and of such large funds, so that the country might have some guarantee for the due execution of the one, and the due application of the other. With reference to the late Commission, he felt called upon emphatically to protest against many of the imputations which, out of doors, had been cast upon it. No one could assent to those imputations without doing much injustice to many noble and right honourable and honourable persons, who had given their time and attention, in the most disinterested way, to the business of the Commission. With reference to the late unhappy circumstance, by which 6,000*l.* had been abstracted from the funds of the Church, he could not help saying that the late secretary of the Commission had, up to within the last six months of his official life, performed the part of a faithful, zealous, and very useful servant. It would appear that some unhappy speculations, involving him in embarrassments, had induced him, in an evil hour, to appropriate the funds of the Church, in the expectation that he would be able to replace them. But a charge has been made against the Commission which I am chiefly concerned to notice, because it goes far to accuse of malversation the episcopal members of the Commission. We have been charged with applying to the purpose of building bishops' palaces the funds which ought to have been applied to the augmentation of livings. Allow me to lay before your Lordships the real circumstances of the case. It will be in your Lordships' recollection that the Commission, as at first established, had two objects to accomplish: one being the nearer equalisation of the several sees, by taking from the superfluity of one what might supply the deficiency of another; and, secondly, the furnishing endowments to those parts of the country where the revenues of the Church were very insufficient to meet the wants of the increasing population. The funds were to accrue from two different sources—partly from suppressed canonries and sinecures, partly from the contributions of the richer sees. As the objects were separate, and the sources by which they were to be supplied separate, it was natural that the funds also should be separate; and accordingly the Act of Parliament which constituted the Commission established also an episcopal and a common fund. From the episcopal fund so formed, a residence has been provided for the new see of Ripon, part of the expense of a new house for the Bishop of Lincoln has been furnished, and about 9,000*l.* has been expended upon the residences of the Bishops of Worcester, Gloucester, and Oxford; the whole expense being about 29,000*l.* Now, then, your Lordships will ask, how could the idea prevail that the expense has amounted to five times that sum? Whatever has been expended beyond 29,000*l.*, has been mere exchange of property; property sold in Hants, and bought in Lincolnshire; property in Gloucestershire disposed of, and bought in Bristol; property at Bromley sold, and bought at Danbury. And how came it that this was charged to the account of the Commission? Because the negotiations were not carried on, as they would formerly have been, by private Acts of Parliament, but through the general powers granted by Parliament to the Commission. They therefore appear as part of its transactions. But the property itself never made part of the funds of the Commission, nor was ever intended so to do; and was no more destined for the augmentation of benefices than the estates of any of your Lordships. It is very unfortunate, my Lords, that a misconception on this subject has so long prevailed, and that the public have been so slow to receive the explanation. An impression has been produced upon the minds of many of the clergy, natural under the circumstances, but not the less to be regretted. Many of the clergy are in painfully straitened circumstances. Placed in insulated situations, and feeling the want of domestic comfort, they are led to marry early, often with no better provision than a precarious curacy, or an ill-paid incumbency. It cannot be matter of surprise that they soon find themselves embarrassed; and they naturally compare their incomes with their labours, their talents, their education, and think them very ill requited. My Lords, when men are distressed, it is easy to persuade them that they are ill used. But the supposition is no less unfounded than it is injurious to the Church. For it can be nothing but injurious to the Church, when the feelings of the inferior clergy are alienated from those who are above them in rank and fortune, though often in nothing else, and who probably, at the very moment when they lie under the imputation of selfishness, are employing their time, their thoughts, their influence, and often not sparing their purses, in promoting the comfort, and increasing the means of usefulness, of their humbler brethren. My Lords, it is one of the purposes of the Act now brought in, to prevent the possibility of such misconceptions in future. It is intended to abolish all distinction between the episcopal and common fund, and to take from the general fund what may be required for any of the purposes of the Commission. But I am glad to have had the opportunity of showing that the episcopal members of the Commission have not been, as was supposed, selfish administrators of the means which a great sacrifice on the part of the Church had placed in their hands.

The EARL of HARROWBY did not rise to oppose the Bill, though he confessed that he had some misgivings respecting it. The noble Earl then suggested that the interval of time between the second reading and the committal of the Bill would afford the Government an opportunity of introducing an Amendment, the object of which should be to increase the number of bishops from time to time as the wants of the community required them, without in each case having to draw invidious comparisons between the claims of different districts. He thought that it was not consistent with common sense that a number of bishops, which might have been sufficient to manage the affairs of the Church in the time of King Alfred, should be deemed sufficient for the purpose now that the population had increased to so vast an extent. Whenever an increase was made in any regiment in the army, it was always deemed necessary to increase the number of its colonels. The same rule, he thought, ought to apply to the Church. In his opinion, it was alike necessary to provide for the episcopal jurisdiction of the Church, and for the spiritual destitution of the people.

The BISHOP of LONDON would strongly recommend the consideration of Her Majesty's Government of the suggestions thrown out by the noble Earl who had just spoken as to reserving the power of providing for the addition of new bishoprics, as occasion might arise, The present was the last opportunity that might present itself for making the necessary provisions for attaining that important object. As regarded the constitution of the Commission, he thought that a somewhat greater degree of equality should subsist among the members of it; and according to the provisions of the measure, Her Majesty's Commissioner would have, he apprehended, an undue preponderance. A complimentary allusion had been made to the manner in which the episcopal duties in London were performed; but it was impossible that any single individual, however zealous he might be, could be capable of adequately fulfilling the whole of those duties, overwhelmed as the diocese was with a rapidly-increasing population, and no one was more sensible than himself of the necessity of relieving the bishops from a portion of their labour. The right reverend Prelate then expressed some doubts as to the position of the episcopal commissioner being a satisfactory one as proposed by the Bill, and the belief that, by the regulations proposed, it would be impossible that commissioner could ever sit in the chair of the Commission. Each commissioner, he thought, should take the chair alternately. With regard to the Ecclesiastical Commission, none had better performed its functions, until the great accession of business of late years, and it had worked more good for the public than the public imagined.

LORD STANLEY concurred in the object of the present Bill, and believed it to be a most excellent measure. At the same time he must say he concurred, in the strongest possible manner, in the observations which had been made both by his noble Friend (Lord Harrowby) and the right rev. Prelate (the Bishop of London), with respect to the particular provision of the Bill to which they had referred, and which, if it remained in its present state, took away any chance of increasing, either now or hereafter, the number of the bishops of the Church. He knew well all the difficulties of effecting that object; but their Lordships might depend upon it, that it was a question which if they did not face now, they would be obliged to do so at no very distant period; for it was utterly impossible, even if the present number of bishops was equal to the effective discharge of their duties now, that, with our growing population, with the increased attention which was paid to the religious instruction of the people, with the vast multiplication of the number of the clergy, with the increase of the number of churches which he was happy to see erecting throughout the country—it was utterly impossible, he said, even for the overlooking of the clergy alone, irrespective of other duties, that the same number of bishops which might have been sufficient for the past twenty years, should be adequate for the duty which would fall upon them twenty years hence. He had listened with great attention and respect to the explanations which had been given by the most rev. Prelate; but, while he gave him entire credit for the motives by which he had been actuated in assenting to the consolidation of the episcopal and common fund, he must say that the arguments which he had used in its favour led him (Lord Stanley) to an opposite conclusion, because he felt quite certain that if there was dissatisfaction felt at present, when there were two funds—viz. one upon which the inferior clergy had no claim, and one upon which they had an exclusive claim, dissatisfaction would be felt much more strongly when the fund from which substractions were made, either for the purpose of establishing new bishops or for increasing the accommodation and comfort of those who already existed, was a fund upon which the inferior clergy had a legal claim, and when they felt, which they could not do at present, that the sums granted for the accommodation or increase of the higher order of the Church, were deducted from the fund which, by law, might be applicable to the increase of the inferior order. He feared, therefore, that the separation which the most rev. Prelate looked to as the means of diminishing the dissatisfaction among the inferior clergy, would have a precisely opposite effect, and would tend to introduce a new element of dissatisfaction and jealousy between the lower and higher order of clergy, and by doing so would inflict a serious injury upon the cause of religion by producing a feeling of alienation between those orders. The Government might rely upon it that this was the last chance of preserving the means of doing that for the higher order of clergy which for the benefit of all was essential to be done. He did not ask that the Bill should contain a provision for augmenting the number of bishops — although he thought it a highly desirable object; all he suggested and desired was, that the Bill should contain no provision which should put it out of their power, or the power of their successors (which they would do if they consolidated the episcopal and common fund), to provide for the wants of the Church hereafter when they should be felt to be most urgent. The noble Marquess had stated that the episcopal fund amounted to 16,000*l.* a year, and the general fund to 136,000*l.*, with the prospect of increasing to 300,000*l.* Tho addition of 16,000*l.* to 300,000*l.* was a matter of comparative unimportance; it would not add largely to the general fund; but, if left untouched, that sum would afford the means of effecting a great national and ecclesiastical object without the possibility of a reasonable complaint from any part of the community, lay or ecclesiastical. If, however, they passed the 12th clause, they would deprive themselves for ever of the possibility of effecting that object, and when they had so deprived themselves of the power, he felt certain they would regret it. This then was a point which he submitted to the right rev. Prelates. He considered this point of the consolidation of the episcopal and common fund to be a matter of deep and vital importance, and he trusted that before the Bill went into Committee, the Government would consider whether they would persevere in pressing a portion of a Bill otherwise desirable and valuable, which, if passed, he felt quite sure (even with the best intentions for the good of the Church) would inflict a permanent injury now, and prevent the possibility of future good.

The MARQUESS of LANSDOWNE said, that, however desirable might be the object to which reference had been made, he could hold out no hope of the Government departing from the provision which they had introduced for consolidating the two funds.

On Question, Resolved in the *Affirmative.*

Bill read 2ª, and committed to a Committee of the whole House on Monday the 25th instant.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, February 11, 1850.

MINUTES.] NEW MEMBER SWORN.—For Colchester, Lord John Manners.

PUBLIC BILLS. 1° Australian Colonies Government; Tenants at Rack Rent Relief.

2° Pirates (Head Money) Repeal; Registrar's Office, Bankruptcy.

TYNE NAVIGATION BILL.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

MR. GREY objected to the Bill, because it would still leave the whole power of managing important funds in the hands of the corporation of Newcastle, the Bill providing that nine out of the seventeen commissioners to be appointed should be members of the town-council of Newcastle.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. ORD supported the Bill. The corporation of Newcastle were now willing to give up the right which they had so long enjoyed of the exclusive administration of the property, and to allow other towns to be associated with them in it, and he could not see, therefore, on what ground the principle of the Bill was objected to.

MR. SPOONER said, there was another Bill on the paper, the "Tyne River Conservancy Bill," and he hoped the hon. Gentleman opposite the Member for Newcastle-upon-Tyne would consent to allow both Bills to go before the same Committee, otherwise he thought the Amendment should not be withdrawn.

MR. HUME said, that the second Bill just alluded to had been reported to the House last Session, after seventeen days' consideration in Committee, and had received the sanction of the House, though at too late a period to allow of its being pressed forward.

Question proposed, "That the word 'now' stand part of the Question."

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read 2°, and committed, and referred to the Committee of Selection.

TYNE RIVER CONSERVANCY BILL.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

MR. ORD said, that the corporation of Newcastle had been for 500 years in possession of the property of which this Bill sought to deprive them, without any grounds whatever being shown to justify such a proceeding. He should, therefore, oppose the second reading.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

MR. HUME said, that the Amendment to the former Bill had been withdrawn from the feeling in the House that both Bills ought to be sent before a Select Committee; and he hoped the House would show by its vote on this occasion the feeling which it entertained of the preposterous course now taken.

MR. CARDWELL said, the House had two Bills before it, both for the improvement of the conservancy of the Tyne. The Bill just sanctioned travelled into no other object; but the Bill which they were now asked to sanction did travel into other ground, and sought to induce the House to refer to a Committee of five Members a question of property. The promoters alleged that the corporation of Newcastle misappropriated the funds, by expending two-thirds of them on the improvement of the streets of Newcastle; but if that were so, surely there was a legal tribunal before which the question ought to be decided, instead of bringing it before that House.

MR. ROEBUCK said, that not one Member in a hundred of those present knew anything about the whole proceeding: and if he, for one, were asked to vote on the question, he would feel obliged to retire from the House without doing so. If a Committee of five Members were unfit to decide on the merits of the Bill, after investigation, surely the whole House was equally unfit, seeing that they knew nothing of the merits.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 131; Noes 63: Majority 68.

Main Question put, and agreed to.

Bill read 2°, and committed, and referred to the Committee of Selection.

ECCLESIASTICAL COMMISSION—LORD J. RUSSELL AND MR. HORSMAN.

LORD ASHLEY said, that, in reference to a notice which appeared upon the paper of that day, he would beg, with the permission of the House and of his hon. Friend the Member for Cockermouth and the noble Lord at the head of the Government, to make a few observations. Perhaps he might be permitted to interpose his good offices between two Gentlemen whom he had the honour of knowing, and regarding whom he could declare that the highest and most honourable motives regulated both the private and public conduct of each. The House, he was sure, would agree with him in deploring that any difference of opinion should have arisen between two Gentlemen who stood so high in public estimation as the noble Lord and the hon. Gentleman the Member for Cockermouth, who still, he was sure, notwithstanding what had occurred, entertained feelings of mutual respect and kindness for each other. He did not think the differences between them would be adjusted by the method proposed. His hon. Friend the Member for Cockermouth proposed to move for a Committee to which the whole case was to be subjected. Now, what was the character of the evidence to be laid before the Committee, and what was the business which it was to decide? A large proportion of the case must, of necessity, concern matters that took place without the walls of the House. And what did take place within the walls must consist in a great measure of a few verbal communications made in haste, and probably during debates upon other subjects, one or two angry expressions which his hon. Friend the Member for Cockermouth had used under the stinging influence of the defeat of measures which he had in view, and some expressions that might have been used by his noble Friend at the head of the Government when listening to another debate, and not knowing precisely what the words might have been which he used. Now, how would it be possible for his noble Friend at this distance of time to charge his memory with the precise expressions used when a question was put to him in the course of debate? But even if the matter could be more precisely handled, he (Lord Ashley) did not think a Committee of the House was the proper tribunal before which it should be carried. He believed in his conscience that it was simply—yes, in his heart he believed that it was simply and altogether a misunderstanding by his noble and hon. Friends of the views and intentions of each other. Because he was quite convinced of this, that the hon. Member for Cockermouth was most sincere in all the measures he had proposed; that he had undertaken them on principle, and for that reason it was easy to account, in some measure, for the warmth he entertained regarding them. But his noble Friend was equally ardent upon those very subjects of improvement in the Church; and he (Lord Ashley) did not think there could be any deliberate intention on the part of his noble Friend to withstand any proposition that he thought would be conducive to the interests of the Church, or the promotion of the public welfare. He therefore thought, indeed he was convinced, that the whole affair had arisen from misconception; and he thought it would be very gratifying if they could bring the matter to a conclusion without passing any opinion whatsoever upon it, further than that the House should say it was fully satisfied as to the honourable intentions of Gentlemen who had sat so long a time within its walls, and who took so honourable and distinguished a part in its proceedings as the hon. Gentleman the Member for Cockermouth, and his noble Friend at the head of the Government. He thought the House would be satisfied and the public service advantaged, if, without doing more than expressing regret that any difference should have taken place between parties of such high respect and character, the House should at once pass to the business on the paper. He trusted the House would excuse him for making such a proposition, but he did it from a desire to consult the real advantage of the public, and, in a great measure, because he entertained the very deepest respect for both the Gentlemen concerned. And he conscientiously believed that nothing but a misunderstanding could have led to such an issue. He moved that the Order of the Day be now read.

Colonel KNOX seconded the Motion.

Mr. HORSMAN said: Sir, if I understand aright, the House seems unanimously to accede to what is proposed by the noble Lord the Member for Bath. And I must hold it to have decided that it is not desirable to go into the inquiry for which I came down to move. If that be so, I bow at once to the declared wish of the House; but I must at the same time ask it to indulge me for a few moments of explanation before it passes to the Orders of the Day. The question now remains in this state—that I brought charges against the noble Lord at the head of the Government and the right hon. Gentleman the Home Secretary, which I am not permitted to prove, or called on to retract. Now, I must say, if the matter is to be left in this state, it ends in a manner not altogether just to the noble Lord whom I have accused; and, not ending in justice to him, it would not end satisfactorily to my own feelings. I therefore think that, as there are certain passages in the letter alluded to which have been understood to convey something more than I intended, I ought to state what is the interpretation I should have wished to be put upon them—how far I meant to go in my charge against the noble Lord—and how far I am now prepared to withdraw the imputation which was supposed to rest on his personal honour. I did not intend to make, nor did I make, any allegation whatever as to the noble Lord's motives. I did not intend that any such construction should be put on my letter; and perhaps it would be more satisfactory to show that what I am about to say is not mere formality and compliment, if I were to tell the House and the noble Lord what I really did mean and what I felt. I did not intend to say that the noble Lord had wilfully and designedly done that which he knew to be dishonourable. I believed the real fact to be that he was annoyed and irritated at my persevering in my Motions upon the Church; and that he rather courted the opportunity of showing how he could with impunity dispense with the courtesies of Parliamentary usage in the case of a Member who had not a party at his back; and that he incautiously indulged this feeling to such an extent that he very seriously compromised himself, and enabled me to establish such a case against him that I could appeal without fear to the verdict of any Committee which the House might think fit to appoint. That, Sir, was my belief. If I were asked if I thought the noble Lord intended deliberately to deceive me, I say, fairly, there was no such accusation conveyed in the word of my letter. And I may add, that, so far from thinking that there was deliberation, I rather thought the noble Lord acted too unreflectingly. So far from having the motive to deceive, I believed that very possibly his disposition was only to annoy; but whatever the motive, the result was the same; and the facts which I was enabled to substantiate against the noble Lord were the same. I do admit, for I don't spare myself on this occasion, that, as my noble Friend the Member for Bath has hinted, I may, in the course of our discussions, have given the noble Lord some provocation; for I had felt, that on some of these questions I had been met by certain Members of the Government with personalities and imputations of motives of which the noble Lord alone knew the whole injustice; and I thought he did not give me the benefit of his testimony as in honour he was bound to do on those occasions. I felt this, and to a certain extent no doubt resented it. However, that is long past: and I now assure the noble Lord that so far as I am concerned, there shall not be a revival of that personal warfare between us. In future discussions it shall be my endeavour to avoid anything which, having a merely personal bearing, may give rise to unpleasantness with the noble Lord. And I hope I may ask and may receive on his side that courtesy which will show that he gives me that credit, in my advocacy of public questions, for being actuated by public motives only which everything that has ever passed between us entitles me to demand. I can only now say further, Sir, that I cheerfully withdraw any imputation upon the personal honour of the noble Lord, and as a matter of course, of the right hon. Baronet also; and I have, at the same time, to express to this House my regret for the trouble which this explanation has occasioned.

Lord J. RUSSELL: Sir, I certainly received the impression from the letter which was read to the House the other day, that the hon. Gentleman the Member for Cockermouth did suppose that I intended to deceive him with respect to a measure that was before the House; and, being quite unconscious of any such intention, I certainly could not but feel at the time that it was a very unjust imputation. But I understand, from what has just been said by the hon. Member, not only that he does not now make that charge, but that that was not a charge he intended to make in what he wrote in his letter. Nothing can be more satisfactory to my feelings on that subject. With regard to any other matter, all I can say is this—the hon. Member hoped I would only attribute to public motives his pressing forward certain questions; and I am quite ready to do him justice in that respect, and believe that in pressing forward those questions, the hon. Member had no object in view but the general benefit of the public, and the improvement of the Church. But I am in a somewhat different position from the hon. Member, who must feel, that while it was competent to him to press upon the House, to the full extent, his views and impressions upon a subject, it occurred to myself, as a Minister of the Crown, if he undertook any measure, that he had not only to show to the House that the measure was in itself just, but that he must endeavour to communicate to others such an impression that it was just that he might succeed in carrying it. I believe this difference in our positions has been really the main cause of the misunderstanding. The hon. Member thought that a measure could be carried easily, which I considered could not be carried without asking the opinion and requiring the deliberation of various persons connected with the matter. I am very happy to find that the hon. Gentleman says that hereafter he will be ready to make every allowance of that kind which I could require; and, for my part, I can assure the hon. Member that I shall be ready to enter into any discussion that may come on, giving him full credit for zeal for the benefit of the Church, and for the purity of his motives.

Sir G. GREY: Sir, I am very happy to hear the terms in which the hon. Gentleman the Member for Cockermouth has retracted his charges; and, for my own part, I must say, that I regret that, feeling the injustice of the imputations conveyed in his letter against my noble Friend and myself, I expressed myself in terms of undue warmth. I can assure the hon. Gentleman, that in the discussion of these questions to which he specially directs his attention, it will be my earnest desire to comply for the future with the hope which he has expressed.

Subject dropped.

CEYLON—CAPTAIN WATSON'S PROCLAMATION.

LORD J. RUSSELL had to request the indulgence of the House with reference to a statement which had been made in the House, which had occasioned considerable pain to an hon. and gallant Officer, who, it would be remembered, had been alluded to in the course of the debate on Wednesday last, in reference to the affairs of Ceylon—he meant Captain Watson—who was the son of a distinguished officer, and who had himself been for more than twenty years an officer in the Army, and who was now attached to the Ceylon Rifle Brigade. The statement, as reported in the public papers to have been made by the hon. Member for Inverness-shire, on the occasion he referred to, was—

> "We have heard much from the hon. Member for the West Riding of Yorkshire about the savage proclamations of Field Marshal Haynau and others. But listen to the proclamation I am about to read—a proclamation of one of Her Majesty's officers in Ceylon, entrusted at the time with the full and responsible power of deciding the question of life and death with respect to the subjects of that colony. The proclamation is as follows: 'That unless all those who have held concealed the effects of Golahella Rata Mahatmeya, deliver over to me such property, or give information about the same without delay, such persons shall be killed, and their property confiscated.—A. Watson, captain commanding.' Now, I ask the House, is this a proclamation for the destruction of mad dogs or of human beings? I confess, Sir, when this proclamation was first brought under my notice, I was perfectly astounded. I could not believe such a production possible, and thought there must be some mistake. But there is no mistake about the matter. I have in my possession two of the original proclamations, signed by Captain Watson's own hand—proclamations which have received the full sanction and cordial approbation of Her Majesty's Government; and those Gentlemen who are so ready to denounce Austria for her acts, are the supporters of that Government."—*Hansard,* vol. cviii. p. 425.

Now, Captain Watson was a gentleman who, upon the suggestion of the hon. Member for Buckinghamshire had been summoned as a witness to give evidence before the Ceylon Committee, and being consequently in this country, he had an immediate opportunity of seeing the statement of the hon. Member, and having read it in the public papers, he had written to Earl Grey a letter, repudiating the charge made against him in that statement, which letter having been forwarded to him (Lord J. Russell) by his noble Friend, he felt bound, in justice to Captain Watson, to read it. The letter was as follows:—

> "22, Craven Street, London, Feb. 7.
>
> "My Lord—Owing to absence from London, it was only this morning that I saw in the morning papers of yesterday the very cruel and unjustifiable attacks which are stated to have been made on my character by Mr. Baillie and Mr. Hume—who have coupled my name with acts of atrocity more suitable, as they say, for the 'destruction of mad dogs,' than becoming proceedings which involve the lives of human beings. In attendance as I am, pursuant to a summons from Ceylon, and about to be examined before a Committee of the House of Commons, appointed to inquire into recent events in that island, I cannot but feel deeply wounded by this ungenerous attempt to damage my reputation, and discredit my testimony by anticipation. Nor will your Lordship fail to perceive the prejudice to justice which must ensue from bringing forward such imputations in places where I have no means to meet and repel them, instead of reserving them for the approaching investigation, when opportunity would be afforded me for defence; and, in any event, the charge and its refutation would go together for the decision of the public. The evidence on which I have been thus assailed, is a document said to have been produced by Mr. Baillie, described as a 'savage proclamation,' and purporting to bear the name of 'A. Watson, captain commanding.' It threatens with death and confiscation of property all persons who should fail to make disclosures as to the abstraction of the effects of Golahella Rata Mahatmeya; and Mr. Baillie is said to have declared that all doubts as to its authenticity are effectually set at rest by his possessing 'two of the original proclamations signed by Captain Watson's own hand—proclamations which have received the full sanction and cordial approbation of Her Majesty's Government.' Had opportunity been afforded me by Mr. Baillie, before thus pledging his own veracity and impugning my honour, I should have informed that Gentleman, as I now do your Lordship, that the document in question is utterly spurious; that I never issued or authorised such a proclamation; and that he has been misled by an unprincipled forgery. The other allusions which have been made to supposed acts of mine, by both Mr. Baillie and Mr. Hume, are alike devoid of all foundation in fact, and so soon as an opportunity shall have been afforded me in the approaching Committee, I shall have no more difficulty in disposing of them than I have in denouncing the fictitious proclamation by which these Gentlemen have been so grossly imposed on.—I have, &c.
>
> "ALBERT WATSON,
> Captain, Ceylon Rifle Regiment.
>
> "To the Right Hon. Earl Grey, &c."

He had thought it due to the hon. and gallant Gentleman, whose character had been aspersed before the House and the public, to give him the advantage of this his refutation of the charge brought against him; and he had not another word to say on the subject.

MR. BAILLIE: Sir, I have only this

statement to make, in answer to what has just been read by the noble Lord. I received the proclamations, to both of which the signature of Captain Watson is appended. These documents are couched in the Cingalese language; but I was informed that the translations I have given were sworn to by professed interpreters, before justices of the peace. Documents thus vouched for, and regularly transmitted to me, I could not believe to be deliberate forgeries. Should they turn out to be so, I am sure no one will—no one can, regret the foundation of a charge upon them more than I shall; but I repeat that the signature of Captain Watson—[*Cries of* "Oh, oh!"]—well, what purports to be the signature, in his own handwriting, of Captain Watson, is attached to the documents—documents which I shall be very happy to show to the gallant officer himself.

CEYLON.

Order read for resuming the further proceeding on Question for appointment of a Committee.

MR. HUME said, that as one of those who had been selected to sit on this Committee, and as a Member of the Committee of last year, he felt bound to say that he could not expect that justice would be done to the important question which it was the object to investigate. When the noble Lord at the head of the Government objected to the recommendation that a Commission should go out to Ceylon and there examine on the spot the parties who were best able to give evidence, he (Mr. Hume) took the opportunity of saying that, as it was the prayer of the petitioners—and he had presented four petitions on the subject to the House—that evidence to prove their allegations should be taken by a Commission on the spot, because in no other way could a full and fair investigation of the facts be obtained, a Parliamentary Committee only would not be satisfactory. The noble Lord, however, objected to that, and left it to the Committee to send for evidence; and then he (Mr. Hume) suggested that if it really was intended by the Government to have a fair inquiry, the party whose conduct was impugned should have leave of absence, or retire from his station as Governor of Ceylon, in order that he and those under his control might not have it in their power to interfere to prevent such evidence being sent to England as might be necessary to elucidate the question. The noble Lord thought that that would have been an imputation against Lord Torrington; but it was precisely the course which had been followed, he believed, in every case where high crimes and misdemeanours had been charged against a public functionary. In one of the petitions he had presented, it was alleged—and the parties stated that if opportunity were afforded, they were ready to prove the fact on oath—that persons had been prevented from coming forward to give evidence by the noble Lord and the public officers. His present object was to guard against its being supposed that any satisfactory result could come out of the inquiry by this Committee; for unless they had full means of ascertaining the grounds of the discontent out of which the disturbance in Ceylon had arisen, the inquiry would be useless. Considering the means at the disposal of Lord Torrington, and the noble Secretary for the Colonies to keep back witnesses whose testimony might elucidate the facts, it was impossible that justice could be done; and he hoped the House would allow those who had expressed that opinion in their petitions, to come down and state what they knew of the means that had been resorted to by those in authority to prevent a full and fair investigation of all the facts of the case. He did not speak as to Lord Torrington personally, for he had no desire to make a personal matter of it. All that he wanted was the future better government of Ceylon; and until the whole facts were known, causes for turbulence and discontent would continue to exist in that colony.

MR. J. STUART expressed himself unable to see how the House could possibly discharge its duty unless they had some assurance from the Government that the future proceedings of the Committee, if, indeed, it was to proceed at all, should be conducted in such a way, and under such circumstances, as really to elicit the truth. Circumstances more extraordinary than those under which the Committee was about to be reappointed, had never occurred. The present Motion was for a renewal of the Committee appointed last year to examine into certain grave charges and allegations. But without witnesses, or any facilities being afforded for the production of witnesses, the reappointment of that Committee was an idle ceremony. The statements of Members of it proved that all endeavours hitherto made to procure the attendance of the necessary witnesses, had been utterly baffled. He did not mean to say that no witnesses had been allowed to attend, but that if the Committee were now reappointed upon the same footing as that which they had occupied last Session, that the tribunal—a tribunal delegated by the House to inquire into the truth of certain accusations—would be in this singular position that they would have witnesses to rebut, but no witnesses to establish, the charge—witnesses for the defence, but none for the prosecution. [Mr. Hawes: No, no!] He heard some hon. Gentleman say "No, no." He thought it was the voice of the hon. Gentleman the Under Secretary for the Colonies, but he would establish his position. The House could only proceed upon the authentic records of the Committee. Now, on one of the last days of the Committee's meeting, he found that the following resolution had been come to:—

> "Your Committee regret that, from the termination of the Session they have not been able to conclude their inquiries into the grievances in connexion with the administration and government of Ceylon, and especially into the causes of the late insurrection in that colony, and into the means adopted by the local Government for its suppression; but, from the gravity of the circumstances which those inquiries have elicited, your Committee express their opinion that it is expedient that they should be reappointed next Session to pursue their investigation, and that means should be adopted in the interval by the Secretary of State to ensure the attendance before the Committee of the Queen's Advocate at Ceylon, of Captain Watson, and such others whose evidence may be necessary to explain and establish the circumstances under which martial law was recently proclaimed in Ceylon, and to give information as to all proceedings which were thereon adopted by the Government."

This resolution had been come to upon the 30th of July, and for this reason—that on the 28th of July a complaint had been made in this House, on the part of the Committee, that without sending a commission to Ceylon, the investigation could not be satisfactorily carried out. This was on the 28th of July. On that occasion, the right hon. Gentleman the Member for Ripon, interposing, with great gravity and dignity, had stated, that although he could not support the Motion for a Commission, yet he thought that that Motion would be readily withdrawn if the noble Lord at the head of the Government would give the House an assurance that the Committee would be this Session reappointed, and that, in the meantime, and before the Session ended, the Committee, through their chairman, should communicate with the Government as to the witnesses and papers which might be required, so as that they might be sent for in the interval, and be ready to be produced when the Committee was reappointed. The course recommended by the right hon. Baronet was adopted by the noble Lord. But what followed? They were now here continuing a discussion commenced by a new complaint brought by the chairman of the Committee. He complained that the endeavours made by him as chairman of the Committee, between the 30th of last July and the next meeting of Parliament, to obtain witnesses, had been baffled by Earl Grey. Now, the noble Lord at the head of the Government said, on a former night, that he had carefully read from *Hansard* the words which he had actually used upon the 28th of July, because he feared that there might arise some misunderstanding or misconception relative to what he had actually said on that occasion. But the noble Lord must pardon him (Mr. Stuart) if he said, that, in his opinion, the noble Lord referred to the words which he used last Session, without a sufficient reference to the context of the passage quoted, and without enabling the House properly to ascertain how the matter had been actually left between the Committee and the Government. The right hon. Baronet the Member for Ripon ended his speech of the 28th of July last as follows:—

> "He, therefore, could not support the Motion now before the House; and, indeed, he did not think that his hon. Friend would press it, if the noble Lord at the head of the Government would give the House an assurance, on the part of the Government, that, at the commencement of the next Session, he would consent to the reappointment of the Committee, for the purpose of pursuing the inquiry. In that case, the Committee could meet on Monday, and communicate, through their chairman, with the Secretary of State for the Colonies, both with respect to papers and to additional witnesses that they would think necessary, when the Committee met again at the commencement of next Session."—*Hansard*, cvii. 1098.

Such was the proposal of the right hon. Baronet. To that proposal he (Mr. Stuart), who was present, understood the noble Lord to accede. He understood the noble Lord to mean that the Committee should assemble on the following Monday; that they should consider what arrangements were to be made for summoning witnesses; and that their chairman should, on their behalf, communicate with the noble Earl the Secretary for the Colonies. What had taken place since? On the 30th of July, the Committee had passed the following resolution:—

> "That the chairman be authorised and requested to communicate with Her Majesty's Secretary of State as to the necessary witnesses to be ordered home to give evidence before the Committee to be appointed in the ensuing Session."

There was the noble Lord acceding to the suggestion made in the House, leaving it to the chairman to arrange with the Secretary of State for the Colonies as to the necessary witnesses. Well, but no sooner did the hon. Gentleman put himself in communication with the noble Lord, than the latter replied, in substance, that he did not recognise the hon. Gentleman, as the chairman of a Committee invested with delegated power at all. The noble Lord, in fact, stated that the Committee had no right to delegate any such power as that of naming the witnesses to be summoned; and that, even if they had such a right, he would not consent to their request, upon the ground that it would occasion considerable expense. On these grounds there was a flat refusal given to the request for the summoning of witnesses. On the reassembling of Parliament, the hon. Gentleman the Member for Inverness-shire having been thus treated by the noble Earl the Secretary for the Colonies, and the decision of that noble Lord having been confirmed by the noble Lord at the head of the Government, it seemed to him to be clear and palpable—first, that this had been an evasion of the understanding come to, and that means had been taken to baffle the endeavours of the Committee to have before them the witnesses they thought proper should be examined. This was a state of things which he thought involved grave matter of censure against the Government. But there had been still more immediate and direct means taken to baffle the attempts of the Committee to arrive at the truth. Not only had the noble Earl the Secretary for the Colonies not acceded to the request conveyed to him that he should attend before the Committee to give certain explanations; but when the Committee put the noble Earl in possession of the points on which they wished for information from him, he made no reply whatever to one of the inquiries. The following questions were, as it was stated in the report of the Committee, privately forwarded to the noble Earl:—

> "Whether your Lordship has received any copies of the proceedings of the courts-martial (including details of the evidence taken upon the trials of the prisoners), which were held in Ceylon in 1848, and information, private or public, of how each of the courts was constituted, which have not been laid before the Committee now sitting on the affairs of Ceylon; and if you have not, whether your Lordship has ordered any such to be transmitted to you, or whether it is your intention so to do?"

To this the noble Earl replied, upon the 11th of July, as follows:—

> "In reply I have to request you to acquaint the Committee that I possess no information which is not contained in the papers already before them on any of the points mentioned in your letter; and that with regard to the opinion I may have formed on these points, or the reasons which have led me to the conclusions I have adopted, I should not think it consistent with the duty imposed upon me by the office I have the honour to hold, to add anything to what I have said in the despatches which I have addressed to the Governor of Ceylon, and which have been laid before Parliament."

The second question, the House would observe, as to whether the documents had been ordered by the noble Earl, was not even alluded to in his answers. He (Mr. Stuart) held that, under such circumstances, the Committee, unless they had some assurance that information would really be supplied to them, might go on for another Session without being at all nearer the end of their appointment. What he wished to know was, whether Her Majesty's Government intended to afford the necessary facilities or not? He quite dissented from the principles as to the mode of conducting the business of Committee, held by the noble Lord. If a chairman could not represent a Committee for such purposes as the hon. Gentleman the Member for Inverness-shire had represented his Committee, then the appointment of a chairman was perfectly nugatory and useless. Was it necessary for all the fifteen Members of the Committee to have gone before the noble Earl the Colonial Secretary to make a statement as to their wishes? Unless some satisfactory assurance were given by Government as to the production of witnesses, the reappointment of the Committee was idle—it was a Committee merely for the purpose of whitewashing the Governor of Ceylon, and he would rather vote against it altogether. He could tell the Government that such proceedings were not to be turned into a farce. He did not intend to impute to the noble Lord any deliberate improper intention beyond this—and this he did charge him with—that the noble Lord was stretching to the utmost his powers over a majority of the House, in order to prevent a due and proper prosecution of this inquiry.

Lord J. RUSSELL said, that although the questions the hon. and learned Gentleman put had been distinctly answered the other day, he would endeavour very shortly to explain what were the views with which his hon. Friend the Under Secretary for the Colonies had moved for the appointment of the Committee of which he had given notice. As he (Lord J. Russell) understood the right hon. Baronet the Member for Ripon, what he meant was this—that he supposed by the resolution the chairman of the Committee should communicate to the noble Earl the Secretary of State for the Colonies with respect to the witnesses whom he and the Committee should think necessary to have produced before them. Accordingly, the Committee next day agreed on two witnesses being summoned, one of whom was Captain Watson. And they had been summoned in consequence. But if his hon. Friend the Under Secretary of State had been told, when that last resolution of the Committee was moved, "Now, mind this resolution means that your chairman of the Committee is to have absolute power over the Secretary of State, and is to order him, during the next six months, to do as we please, and he is to have no discretion or option"—why, then, his hon. Friend would have refused to agree to any such resolution. The hon. and learned Gentleman the Member for Newark would, he thought, hardly assert that it would not be a great stretch of the powers of the Committees of the House if they had complete control over the Secretaries of State. If there were three Committees appointed at the end of the Session, and that the chairman were to have power over the three Secretaries of State, with respect to ordering any witnesses they pleased, he was sure that was a stretch of authority to which the House would object. With regard to the proceedings of the Committee, he could only say that when they sat they would have full power to summon the witnesses, and every facility would be given to them by his noble Friend the Secretary of State to arrive at the facts of the case. But if the hon. and learned Gentleman thought that in the inquiry there was one part of the question to be entirely disregarded—and that was the defence—and that there was nothing to be heard on the part of the defence—it was not the condition on which he (Lord J. Russell) assented to the appointment of the Committee. The principle on which he understood the Committee to be appointed was, let the accusation be heard, but let not the defence be suppressed.

Mr. ADDERLEY said, that there was not one hon. Gentleman in the House who had ever asked for the suppression of the defence. What they were anxious for was, that the defence should not be brought on before the evidence for the accusation had been concluded. The noble Lord at the head of the Government had represented the matter as if the Committee had delegated powers to their chairman to dictate to the noble Earl the Secretary for the Colonies what witnesses he was to call. This was not the case. The noble Lord had stated the matter more fairly when he said that there were two courses open for the noble Earl to adopt. He might assume that the Committee had instructed their chairman either to consult with him as to what witnesses should be called, or to dictate to him what their names were to be. Now, the noble Lord had, upon the present occasion, brought forward only the second of these interpretations. But, in his (Mr. Adderley's) opinion, the noble Earl the Secretary for the Colonies had no right to assume that the Committee had instructed their Chairman to dictate to him. What the Committee had done was this—they had instructed their chairman to consult with the noble Earl upon the subject. When the Committee met after the discussion in this House, they had suggested the names of two witnesses; but on these gentlemen being mentioned, the whole Committee immediately said that there were others absolutely necessary, especially for the elucidation of matters relating to the long continuance of the enforcement of martial law. It was said to be impossible to get these witnesses without writing to Ceylon; and, as it had been determined that a Commission should not be sent out, the only alternative was to write out to the colony. That was the only course the Committee could take; it was the course which, he believed, had been agreed to by the hon. Gentleman the Under Secretary to the Colonies, after considerable discussion; and he confessed that he had felt astounded when the hon. Gentleman repudiated the arrangement. The only course open to the Committee was to send out to the colony, in order to procure the necessary witnesses, and afterwards communicate with the noble Earl at the head of the Colonial Department. The noble Lord had, however, demurred to the authority of the chairman; and had, in fact, stopped his mouth, although he (Mr. Adderley) thought the noble Earl would have done well to have discussed the merits of the case with the chairman of the Committee. The noble Earl might have demurred to such witnesses, and alleged that they were improper ones; he might have asked on what grounds they were called, and challenged the necessity for producing them. But the noble Earl had not done that, but had rested his objection upon a ground which he (Mr. Adderley) thought was indefensible. He had only one other remark to address to the House. The noble Earl had objected to the expense to which the production of these witnesses would put the country. He (Mr. Adderley) confessed astonishment at such an objection. The noble Earl stated that the witnesses would involve a charge of from 400*l.* to 700*l.* each. Now, although many witnesses might not be worth so much money, if ever there was a case in which witnesses were worth their weight in gold a hundred times over, it was in the case of these Ceylon witnesses. The colonists complained that the courts-martial were open for a considerable time after the rebellion was over—they alleged that several of the Queen's subjects had been tried by these courts, and had been put to death by mistake. Now, without saying that these charges were true—he trusted they were not—he should rejoice to find the Colonial Office consenting fairly to conduct an investigation into them. It was essential both to the credit of the country and of the Government, that the conduct Lord Torrington should be investigated. Far be it from him to wish to inculpate Lord Torrington, and much should he rejoice if the charges brought against him should prove to be unfounded. It would be unfortunate if he were inculpated without investigation, and it would be most disastrous if Her Majesty's Government should put themselves forward as his advocates before the conclusion of the inquiry.

MR. DISRAELI said, it was not his intention to oppose the nomination of the Committee, and he would refrain from reviving the debate of the other day as to the affairs of Ceylon; but as the noble Lord at the head of the Government had made an observation respecting the conduct of the chairman of the Committee for making statements on the authority of a certain document placed in his hands, he (Mr. Disraeli) was bound to say that his hon. Friend the Member for Inverness-shire had been fully justified in making those statements and assertions. He gave no opinion with respect to the veracity or authenticity of the statement: the witness to whom it referred would be brought before the Committee, when he could be fully examined, and the truth of the case, no doubt, established. He thought it right to state that the chairman had only summoned at his own instance three witnesses—two of them filling the high official post of Colonial Secretary; the other, an eminent merchant, who held an office in the household. He had not, therefore, attempted to substantiate the case he had brought forward by partial witnesses, or by the evidence of persons whose opinions ought not to have great influence over the House. His hon. Friend placed the matter in a still more favourable view in that respect by reminding him that one of those witnesses whom he had just mentioned had been summoned by the hon. Under Secretary for the Colonies. As very few had read the evidence with great attention, the House might probably be unacquainted with the fact, that it had been by no means confined to substantiating the accusation, but, on the contrary, that much of it was from witnesses vindicating the conduct of the Governor, and who had been summoned by the Colonial Office. From the very first he had endeavoured, as much as he could, to keep the Committee out of the House of Commons, and he thought he had endeavoured to conduct it with temper and impartiality, and that the present unfortunate proceeding would not have happened if the hon. Gentleman the Under Secretary for the Colonies had accepted his proposal. He was prepared to resume that investigation; but he was bound to say, he did so with no very sanguine hope that the result would be satisfactory to the House or to the country. It was not necessary for him to introduce to the notice of the House statements which should be very severely investigated by the tribunal of which he was a Member; but seeing what would arise, he must express his sincere conviction that an effort was about to be made to prevent that thorough and impartial investigation of the truth which the honour of the Government and the justice of the country so much required.

MR. ROEBUCK said, it must be clear to the House, from the present discussion, that the Committee was going to its labours under difficult circumstances. The hon. Member for Buckinghamshire, the hon. chairman of the Committee, and the hon. and learned Member for Newark, had all said they were conscious—they were sure—that there was to be a power employed by the Government to interfere with the investigation submitted to the Committee; that the official powers of the colonial authorities were to be employed for the purpose of braving the investigation. Now, that was the charge. That was the grave charge brought against the Government at the present moment; and each of the Gentlemen who had made it, with the exception of the hon. and learned Member for Newark, were Members of the Committee; and they all said that they were going into the Committee, that they were Members of it, and that they were going to make the investigation. Why, the whole proceeding was one that would be characterised out of doors as inconsistent upon their parts. The idea of going into a Committee, preceding it with a charge against the Government, and saying they could not do justice, that they were sure to be misinterpreted, and stopped, and that they could not obtain a thorough investigation, seemed strange. The real proceedings on the part of those Gentlemen ought to be, to refuse to be Members of the Committee. In justice to themselves they ought to make a statement to that effect. They charged the Colonial Secretary and the Under Secretary of State with an intention to prevent the investigation of truth: and he wanted to know if ever there was a charge more grave brought against a Government, or one which, if true, would tend to disgrace the character of a Government more than that? Upon what ground had that charge been made against the Government? Because he held that when a certain number of Members of the House of Commons got up and made a charge against the Government of that description, so grave, he supposed they had got evidence in support of their opinion. He presumed that they would not hazard imputations—that they ought to be grounded on some conviction in their minds resting on evidence; and if he charged a Member of the Government with dishonesty, he hoped he would have evidence in support of the accusation. Well, here were five Members charging the Colonial Secretary with the most serious dishonesty. That was the truth of the charge, that he (the Colonial Secretary) was going into the investigation with a desire to prevent the investigation of truth. How did they get that? We had got a dependency—Ceylon. An insurrection broke out there. That insurrection was suddenly suppressed. It was suppressed after a declaration of martial law, and certain proceedings which he was not bound to characterise; and the result had been immediate peace, and peace from that time to the present. Now, Ceylon was called a colony. It was not a colony in the common acceptation of the term. It was a dependency—a large dependency—filled with a population, not English—wholly foreign. We had a small body of Englishmen therein residing, amidst a hostile population, with a governor at its head representing England. Now, if that House was to be made the means of, upon all occasions, tying the hands, paralysing the mind, disturbing the judgment, and overturning the determination of those men who represented England in those distant colonies, there could be no more dangerous office than that so undertaken; and he saw a tendency in that House and in this country—he was going to say for the purpose of obtaining a sort of pitiful popularity—to so carp and cavil at those who did represent this country, and who endeavoured, under her glorious flag, to subdue anti-civilisation at various regions of the earth, and to extend that dominion, which, by its extension, was a blessing—he sad, he saw such a tendency to paralyse our power, and those who represented us, in all the various quarters of the globe, and so to interfere with every enterprise which was English, that he deemed it his duty, as one representative of this country, to stand up and enter his protest, solemn, and sincere, and earnest, against such a proceeding. Why, what had they got upon this occasion? He thought Lord Torrington's great mistake had been, that he ever handled a pen. If he had not written despatches, but only acted, he might have been a very good Governor; and he (Mr. Roebuck) did not know whether he had written the despatches himself, but he presumed he had. But being a Governor in the midst of a hostile population, as he was—and he (Mr. Roebuck) knew the population—he had, in reality, no more to do than any other man, to prevent the effusion of blood; and if he had tampered with the blood of a hostile population of that sort, we should have had a war in

Ceylon, and where we had one man slain now we might have had a thousand. But because hon. Gentlemen with refined feelings had received representations that certain things which they said had been done contrary to law, they were frightened. What was contrary to law in Ceylon? Let this be understood. Ceylon was a conquered dependency. By the very fact of its being conquered, the law of Ceylon was a law. The English law was only introduced there by the direct intervention of the Sovereign, or by an Act of Parliament. Whatever the Sovereign chose to do, supposing no Act of Parliament interfered, went as far as the Sovereign desired; and he wanted to know if it were not law—the hon. and learned Member for Newark was so learned about constitutional law that he would set him right if he was wrong—he wanted to know if it were not law, constant and well understood, that a conquered dependency had the law of a conquered dependency until it was altered, either by the determination of the monarch of England, or by an Act of Parliament? He wanted some one to show him the Act of Parliament which did prevent the Governor from proclaiming martial law. He, unfortunately for himself, had seen martial law proclaimed even where there was a constitution. He had seen that martial law supported in that House. He had known persons under that martial law to be convicted and executed, and he had found no sympathy expressed in that House in consequence of that martial law. But he wanted to know whether it was illegal for Lord Torrington to have proclaimed martial law in Ceylon? If it was not illegal, his Lordship might have proclaimed it, and he might also have appointed the tribunals which tried the prisoners; and though it might be said that he was cruel, that he was imperious, that he did things which a mild and merciful man ought not to have done, yet he (Mr. Roebuck) judged by the result that peace had been maintained in that island from that time to this. He had been told that there was a judge there who opposed the Governor. Did anybody know the history of English judges in India? Was it not notorious that the moment you set an English lawyer by the side of him representing the Government, they were sure to get into disputes?—and he believed that the reason was, that English lawyers were not statesmen. ["Hear, hear!"] The statement might appear ludicrous, but every one acquainted with the history of India knew the fact perfectly well. The hon. Member for Montrose ought to know what India was; he ought to know that the moment we had lawyers there, they went to loggerheads at once. He had no faith in the prudence of such men. He had great faith in the conscience and in the desire of English lawyers to do good, but he had no faith in their prudence, and they were the last men he would have to govern a country. [*Laughter.*] This might excite laughter, and yet every man going home that night would say upon reflection that he (Mr. Roebuck) was right. But, coming back to the statement of the hon. Gentlemen he referred to already, he asked was not this an unwise and impolitic way to deal with our distant colonies? We had got the question of the Chinese ports before; we had now got the question of Ceylon; both were pretty nearly in the same district of the globe, very much in the same difficult situation, and what were we, for party and personal purposes, about? [Sir W. MOLESWORTH: Hear, hear!] The hon. Member for Southwark had nothing to do with this matter; he (Mr. Roebuck) agreed with that hon. Baronet in his views of colonial government, and could assure him he was not going to interfere with him. But now the debate had reference to distant dependencies held by force and not inhabited by English colonies; and the House could not take upon itself a more mischievous office than that of endeavouring to paralyse the efforts of others in those distant dependencies, where men are always alive and fearful lest they should be called to account, by the difference of party politics affording to some individuals a handle to annoy and disturb an Administration. Any of those hon. Gentlemen, then, who believed that by going into this investigation he would be baffled by the Colonial Minister, would do much more for his own character and the country if he declared that he would withdraw himself from the Committee, and not go into an inquiry with this sort of preparatory means of exculpating himself, if he failed to support the imputation.

MR. BAILLIE observed, that he would not go into the question of the justifiability of proclaiming martial law in Ceylon, as that subject was not now fairly under the consideration of the House. The hon. and learned Gentleman, however, who had just spoken, had said that certain charges were being made against the Government. The hon. and learned Member spoke of there being charges, but he did not know what those charges were. What charges had been made by the Gentlemen to whom the hon. and learned Member had referred? The only charge they had preferred against the Government was founded on a refusal to send for witnesses; and he had substantiated that charge by a reference to the correspondence. The only accusations made, therefore, were those which had been proved before the House. He did not wish to enter into any further discussion on the subject, but he very much feared he should be obliged to bring forward charges—not against the Government, because he would not believe they were capable of countenancing such a thing—but against their officers, on account of the persecution going on in Ceylon against persons of the highest classes as well as of the lowest, and to ask for the persons thus persecuted the protection of that House.

MR. HUME said, that long as he had been in that House, he never had heard a more tyrannical speech than that of the hon. and learned Member for Sheffield. The hon. and learned Gentleman gave them his notion of what should be the law in the colonies—the will of Lord Torrington was to be the law in Ceylon. But it would have been well if the hon. and learned Gentleman was made aware that Ceylon had a constitution, and that Her Majesty sent out a Governor there with certain instructions, and that courts had been established there with English judges to preside over them. He agreed with the hon. and learned Gentleman as to the general character of English lawyers; and he (Mr. Hume) was sure the hon. and learned Gentleman, at least, had shown the House his unfitness to preside over the administration of the law, or as a statesman. Was it not too much, after human blood had been shed and great barbarities had taken place, that those who advocated the cause of humanity were to be called popularity hunters? If there was any one in the House who deserved to be called a popularity hunter, it was the hon. and learned Gentleman himself. He remembered when the hon. and learned Member stood at the bar of the House advocating the cause of the rebels of Canada, and he would leave it to him to say how his language then was to be made to agree with that he had just made use of. He was one of those who held that, in the present case, the principle of fair play had not been maintained, and he thought that the public had a right to complain. They had been told that Ceylon was not a colony—that it was a distant dependency of Great Britain, subject to the will of the Governor for the time being; that Lord Torrington might do with the colony just as he pleased: that certainly was language which he had not expected to hear from the quarter whence it proceeded. He did not expect to hear it said that Lord Torrington could, by his own authority alone, take away from every individual the protection of the law; and it was even too much to say that the rules of the ordinary courts-martial were not remain in force in Ceylon. Was it not too much, considering the state of Ceylon, that military law should have been kept in force for upwards of six weeks? and now it appeared that none of the courts of law would question any of the acts done under the authority of Lord Torrington. It appeared to him most strange that his hon. and learned Friend the Member for Sheffield should have expressed anything like approbation of such a course of proceeding. His hon. and learned Friend must really, in the course of last night, have slept off all his good and ancient opinions, and risen from his bed this morning a very different man from what he had hitherto been—not the man that he had always been taken for—not the anxious and ardent supporter of liberty, ready to resist any attack upon the rights of the subject. Now, his hon. and learned Friend had stood forth in the character of an advocate of a state of things in which the courts of law were shut, and redress for injury or grievance denied. By the act of Lord Torrington, the property of every man might be confiscated, and his son shot; and in consequence of the Act of Indemnity there was no remedy to the suffering parties. To that the sanction of the British Crown had been given, and 18 individuals were executed without the interposition of a judge-advocate; no such officer was present at those trials, no senior officer presided at any of the trials, and the unfortunate victims were led from the courts-martial and shot: was not that a practice in the conduct of courts-martial sufficient to make the hair of any military man stand on end? In the Committee he asked if any report or account of the proceedings had come home, and he received an answer in the negative; he then moved the Committee that they should put a similar question to the Commander-in-Chief, and the answer which they received from the Horse Guards was "No." Now, he would ask the House, had the noble Lord given his sanction to those proceedings without any documentary evidence of their nature or character? Not content with the inquiries made in the Committee and at the Horse Guards, he moved the Committee to request the attendance of Earl Grey; but his Lordship declined to come, and now it only remained for him (Mr. Hume) to ask in the House whether Her Majesty's Government had sanctioned the execution of 18 individuals? They had been executed, and not a word reached this country to explain or excuse such a violation of justice and law. Anxious for information upon these subjects, he could not bring himself to believe that any man acting in the character of a British Minister could have been induced so to proceed on no evidence other than that which was contained in the blue book; was it to be endured that Lord Torrington should disregard the aid of a law officer of the Crown who had been deputed by the Government to give him advice? It was well known that, without taking the opinion of that officer, Lord Torrington directed the confiscation of the property of all persons who were found absent from their dwellings, and for the more effectually carrying those designs into execution, he sent out parties of military to seize the persons of individuals who might so have absented themselves from their homes. Then came the statement that Lord Torrington confiscated nothing more than perishable articles grain and cattle. But what would the House say if they found that jewellery and clothes to a large amount had been confiscated and sold by public sale? With such deeds before them, and with the striking fact that men were executed without anything like a lawful trial—with those broad facts before them, the general feeling in this country was that there existed great ground for complaint—that there was great ground for saying that the authorities in this case were acting unfairly because they were acting ignorantly; and had it not at length become the duty of the House of Commons to take measures for ascertaining the truth and making it known? In the prosecution of that object it was rather too much that they should be taunted with popularity hunting.

Mr. ROEBUCK said, that though his hon. Friend the Member for Montrose might be somewhat angry, yet he felt quite convinced that that hon. Gentleman did not by any means wish to misrepresent the real state of the facts, or to mislead the House by any colouring which he might give them. He doubted not for a moment that his hon. Friend was influenced by the kindest feelings, but strong feeling did not always contribute to clear-sightedness; and he therefore would on no account attempt to cast any imputation upon his hon. Friend, but he could not go back from the propositions which he had laid down; he could not bring himself to think that there was any hope of a successful issue to the labours of the Committee when a large number of Gentlemen went into it predetermined to believe that there was no chance of getting at the truth. His hon. Friend had accused him of favouring tyranny; but that charge he was sure the House would regard as groundless; for they could not have forgotten that he drew a distinction between colonies and settlements; between a country peopled chiefly by Englishmen, who were governed by English laws, and a territorial conquest which a small body of Englishmen held by force; and if his hon. Friend the Member for Montrose did not at once understand that distinction, he had little hope that any observations which it would be possible for him that evening to make in the House, would greatly assist the mind of his hon. Friend on the subject. His hon. Friend had told the House that they had reason to complain. Of what? Of the Government of Lord Torrington, he supposed. Well, then, if his hon. Friend thought so, he ought to impeach Lord Torrington; or he ought rather to accuse the Colonial Minister. It was nonsense to talk about Lord Torrington, for if all that hon. Members in that House said was true, the Colonial Minister ought to be an object of accusation; and if that Minister were accused, his hon. Friend would find him (Mr. Roebuck) as ardent an advocate—he would say nothing about his own ability as an advocate, but he would find him as ardent an advocate as any in that House. Let his hon. Friend charge Earl Grey, let him lay a good ground for that charge, and he would find no warmer supporter than he (Mr. Roebuck) should prove himself; but he objected to unjust imputations, for their effect always must be to weaken all fair imputations. The noble Lord on the Treasury bench sat smiling at these imputations, as if he thought them ridiculous; the world thought them ridiculous, and he (Mr. Roebuck) had the misfortune in this case to agree with the world.

Question put, and agreed to.

The following were named of the Committee: Mr. Baillie, Mr. Hume, Sir Joshua Walmsley, Sir Robert Peel, Sir James Hogg, Mr. Gladstone, Mr. Charles Villiers, Mr. Disraeli, Mr. Hawes, Mr. Adderley, Mr. Wilson, Mr. Stuart Wortley, Lord Hotham, Mr. M'Cullagh, and Major Blackall:—Power to send for persons, papers, and records: Five to be the quorum.

PIRATES (HEAD MONEY) REPEAL BILL.

Motion made and Question proposed, "That the Bill be read a Second Time."

SIR G. CLERK said, he thought it might be very proper to introduce a measure for the purpose of modifying the present law on the subject of head-money; it might be very proper to define the occasions upon which it was to be payable, and the amounts to be paid. For British subjects found on board enemies' ships in time of war, head-money could be claimed; it could also be claimed for pirates. Now, when the Act of George IV. was passed, the Spanish colonies had but just asserted their independence, and the Spanish Main was infested with pirates. There was then in that part of the world a vast number of pirates, and the most atrocious acts were committed. Respecting the prevalence of those crimes, many complaints had been addressed to the Government by the Association of Lloyd's, and England was certainly not able at once to put down those nests of pirates; but eventually, at great expense and loss of life, they were put down. The amount was and ought to be large for the capture of individual pirates, for, generally speaking, they deserted their ships, and it became, therefore, the more difficult to seize them. The principle of awarding money to officers and seamen in the British Navy was almost as old as the Navy itself; and he believed the amount of head-money during the whole of the war had remained without alteration from the reign of Queen Anne. He was quite ready to say, that the naval service of England did not require any such stimulus as head-money—they were always prepared to do their duty; but why take from them this species of reward? Their pecuniary advantages were not in other respects considerable, and he thought they ought not to be deprived of one like this, which they had so long enjoyed. It was true, that under the Bill of 1825 there might have been some abuses; but let the acts deemed piracy be more accurately defined than they had been by that measure, then they might specify more precisely than heretofore the class of vessels to which the law of head-money would apply. He took the liberty of submitting these observations to the House, because he had been connected with the Board of Admiralty when the Bill of 1825 passed, and the suggestions which he now offered were merely for the sake of the officers and men of the Navy. It was his opinion, that many of the objections to the present state of the law might be met by modification rather than by total repeal. Before he sat down, he begged to remind the House that vessels engaged in the slave trade were deemed to be piratical, and he wished to know how they proposed to deal with those cases in which slavers were captured. No doubt the Admiralty might have very good reasons for their measure, but those reasons had not yet been stated.

SIR F. T. BARING said, he would be the last man in the world inclined to cast any reflections whatever on the persons engaged in these dangerous services; but he must say, the mode in which the allowance was at present made, was open to very grave objection. It was now proposed to do away with the distinction between the amounts awarded for every private killed, and every private captured—*20l.* and *5l.* respectively. The gallant officer in command on the station where the recent transactions occurred, had himself expressed his opinion in an official communication, that this subject should be reconsidered, as the services now performed differed from those contemplated when the allowance was originally made. No doubt it was in the power of the House to adopt the proposal of giving *5l.* a head for all the pirates captured who might have been engaged; but the course which the Government proposed by this Bill to pursue, was not by any means to deprive those engaged in this service of the expectation which it had been the habit of the service to hold out to them, but simply to place the awards and amounts within the discretion of the Admiralty, rather than adopt any compulsory amount fixed by Act of Parliament. An engagement with pirates was often an engagement with men as capable of fighting their own battles as any body could be, and that class were more dangerous because they were more desperate; and therefore these engagements, though not important in the history of our naval transactions, were still deserving of every reasonable reward. On the other hand, it would be wrong to measure the dangers by the number of the parties opposed to us; and in many of these latter engagements it would be improper to estimate the rewards by the number of the parties actually on board of the prahus. He should be obliged to call on the House shortly for a very large sum, about 100,000*l.*, to pay these rewards, and that of itself was some reason why the subject should undergo revision. But on the best consideration that he had been able to give the subject, he did think it would be better to invest the Admiralty with a discretionary power, in communication with the Treasury, to consider each case on its own separate merits, and allow a reasonable sum as a reward, than to attempt what he did not think it possible by an Act of Parliament to accomplish, namely, to estimate the service rendered in any particular case, and distribute a reward, which he admitted ought to be given in a fair and proper manner.

Mr. HUME entirely agreed with the right hon. Baronet the First Lord of the Admiralty in the propriety of repealing this Act, and he thought some credit was due to the Government for the manner in which they had come forward and expressed their disapprobation of the system which now exists. He conceived that the principle on which this money had been given was wrong. It was, in his opinion, a reflection on the service that our naval officers and seamen would not do their duty if they did not get this additional reward. He agreed with the old adage that the pirate was an enemy to everybody, and ought to be put down. He wished the right hon. baronet to tell him when he could lay on the table of the House the papers he had moved for, because on them would depend whether he should call the attention of the House to this fraud which had been committed on the country by means of an Act of Parliament. He could not hold Government altogether innocent in this affair, when he knew that they had promoted the officer employed in this service, though there had been no despatches. He hoped that, before the House voted this 100,000*l.*, they would inquire how the claim had arisen, because under the Act the men for whose capture the money was to be given, were to be brought before a court and proved to be pirates. Now, in the whole of the proceedings in this case, they had no evidence whatever that these men were pirates. He supposed the money was awarded by the court of Singapore. [Sir F. T. Baring: Yes.] That was a power of drawing on the revenue of this country which was most extraordinary. He was told that there was no evidence whatever as to the numbers, and, indeed, the different officers engaged did not know whether the number killed was 600 or 2,000. The Navy ought to do their duty as other navies did, without these additional rewards. There were other matters to which he might call attention. For instance, ships of war were paid for assisting merchant ships when in distress. He was happy to find, however, that the Judge of the Admiralty Court had decided against a claim of salvage by the Indian marine. He was told that in the American navy the orders were to assist all merchant ships in distress, not only of their own nation, but of other nations, without reward.

Sir F. T. BARING hoped the House would permit him to say that he had made no observations in reference to the character of the service. There would be but little delay in laying on the table of the House the papers which they had got. The hon. Gentleman had asked for the legal papers. They had not got them officially; but he (Sir F. T. Baring) had learned from the newspapers that the parties came before the recorder of Singapore in the usual manner, and he stated distinctly that he must have further evidence that they were pirates, as he was not satisfied on that point. In consequence, further evidence was given to him, and a commission was appointed to make inquiry on the spot. Subsequently, when counsel stated that they were ready to give further evidence of piracy, the recorder stated that he was perfectly satisfied they were pirates.

Mr. COBDEN said, he had presented a petition from a public meeting in London, calling the attention of the House to the subject of the Borneo massacres; and now as they were promised papers on the subject, he should not prejudge the case. But he could not allow the statement of the right hon. Gentleman the First Lord of the Admiralty to pass, that they were going to have a Bill brought in to pay 100,000*l.* for destroying the pirates, as they were called, without his protesting against it, because he contended we had no evidence that these pirates troubled our commerce. He might state from the highest authority, that at Lloyd's there had been no appreciable rise of premium on the insurance of ships to the East; and therefore he had *primâ facie* evidence that there was no piracy of English commerce. This money was claimed for services which were not contemplated when the Bill was passed; for, as the hon. Gentleman stated, the Act was passed to protect our commerce from the buccaneers of the West Indies, who were cruising and plundering ships in that part of the world. He wished the right hon. Gentleman and the Government to understand that they must have an inquiry into this matter. What he understood was this, that we had been slaughtering certain uncivilised tribes, because they lived in a low state of barbarism, and had been carrying on predatory wars with each other; but we had no evidence that they interfered with British commerce. He was prepared to show that there was no evidence that these parties who had been murdered ever molested English commerce. It affected only the Sarebas and Sakarran Dyaks; it did not affect the Malays, but was simply a question affecting two small tribes who had the misfortune to live contiguous to a place taken possession of by a man called the Rajah of Sarawak. He fitted out ships of war to make an attack on the savages. He might have his motive for that, but we had no proof whatever that these tribes had ever molested English subjects; and it was too bad that we should commit wholesale slaughter on these savages, a slaughter greater than that either at the battle of Trafalgar or the Nile, and that without so much as one man being killed in an English ship at all. It seemed to have been a complete battue, as if of so many sheep or deer. Now he hoped they would have the evidence before them before this money was voted, and he hoped Government would be prepared to grant a Committee of the House to inquire about the matter, provided the documents to be laid before the House did not entirely disprove the statements which had been made. He was not now taking the case of those who accused Rajah Brooke, but of those who defended him, and there was so much before the public that he did hope that if Government was not prepared to disprove the charges by official documents, they would grant a Committee. He would not enlarge on the matter. There were men in this country well acquainted with the whole coast of Borneo, who would say that English ships were never molested there. He did not agree with the hon. and learned Member for Sheffield that we were not responsible for our ships of war, and our servants in distant parts of the world. He believed that if we allowed acts of injustice to be perpetrated, whether in Borneo or elsewhere; and if we did not take some steps to remedy those acts of injustice, there was an overruling Providence who ruled the world on principles of justice, and that there would surely be retribution on this land.

Sir H. VERNEY would recommend hon. Members to read upon this subject the work written by Sir Stamford Raffles, who knew more of the condition of that part of the world than the hon. Gentleman who had just sat down, or any other Member of that House. His work was full of statements of the piracies that were taking place in the Eastern seas, and proved that no commerce could be safely carried on there unless these pirates were exterminated. Piracy in these islands was reckoned an honourable profession; and if we or any other country desired to carry on commercial transactions between Australia and China the extermination of these pirates was absolutely necessary.

Colonel THOMPSON said, that all that was wanted was some proof that these men were pirates. The fear that people had respecting this head-money was, that it held out a temptation to men who were going about the world in command of Her Majesty's forces to say, "Is there anybody we can kill for you under the name of pirates, and charge them in the bill?" The people were anxious that every possible means should be taken to sift these things. He could suppose a case where some men, finding two tribes at war, might take one side, and say that all the rest were pirates. These were reasons which made the public regard with great jealousy and suspicion the payment for such services as were now in question.

Bill read 2°, and committed for Wednesday.

THE MERCHANT SERVICE—THE MERCANTILE MARINE.

Considered in Committee.

Mr. LABOUCHERE said, that it was again his duty to call the attention of the House to several questions of the greatest importance to the maritime and commercial interests of this country, and to state the views of the Government on several subjects which materially affected the interests of our merchant navy. It would be unnecessary for him to detain the House by dilating upon the immense importance of questions affecting the interests of classes than which none were better entitled to the consideration of that House; and by any laboured explanation of the value of those classes, to request the attention of the House to the three measures which it would now be his duty to introduce. The first question which he would consider was, what measures might be expedient to improve the condition of the captains and seamen in our merchant service? Secondly, the state and prospects of the Merchant Seamen's Fund, and the means of placing it in a more satisfactory condition than for a long time past it had been? Thirdly, what improvement might be required in the system of measuring the tonnage of the mercantile marine? These subjects would form the materials for three separate Bills, for although the general improvement of the masters and mates, and the present situation and prospects of the Merchant Seamen's Fund, were closely connected, yet as these subjects included a great variety of details, it would be more satisfactory to make distinct statements. He would, therefore, first explain the proposed measure for improving the condition of the masters, mates, and seamen in the merchant service, and then take the Merchant Seamen's Fund. With respect to the first Bill, then, the Merchant Service Bill, he was happy to say that it would not be necessary for him to detain the House by any lengthened statement, as if the measure were entirely new to the House; because, having had an opportunity of stating his views and the views of the Government on this subject at the end of the last Session, it would not be necessary for him to repeat the general observations he then made. These views he had also embodied in a Bill which had been circulated throughout the country since the last Session. The Bill which he now proposed for the adoption of the House, although it had been materially altered in some most important details, and although, in consequence of communications which had been sent to him, it had received considerable amendments, whereby, as he hoped, the objections made to the Bill of last Session would be obviated; yet the measure now before the House reposed essentially and fundamentally upon the principles which he had then endeavoured to urge upon the House. The provisions of this Bill might be divided into three great heads. He believed, in the first place, without making a charge of a sweeping and general nature against the captains and mates of the English merchant service, among whom there were not a few persons of the highest qualifications both professional and moral, yet, referring to them as a whole, he must declare his opinion that the merchant service of this country did greatly suffer from the notorious incompetency and misconduct of many of the individuals who exercised the command of vessels, and upon whom depended the lives and property of many of Her Majesty's subjects. This, then, was one head of the proposed measure. The next was closely connected with the same subject, for it referred to the want of discipline on the part of the crews which prevailed to a fatal extent in many portions of our mercantile marine. Now, unless they had captains and mates fit to conduct a merchant vessel, and unless they armed the master with the necessary power of maintaining discipline, he was satisfied they would never have the discipline of the crew in a proper state. Lastly, he would consider the evils which the seamen were exposed to from the hardships and injustice practised against them, especially with regard to the contracts which they entered into at their engagement, and when they were discharged from their vessels. He now came to the nature of the remedies which he proposed to apply. He proposed, in the first place, to constitute a department of the mercantile marine as a part of the Board of Trade, who should be responsible to the country and to Parliament for carrying into effect the provisions of the Bill, and who should exercise a general superintendence over the mercantile marine of this country. He had long felt the necessity of such a superintending power, and that the interests of the mercantile marine had suffered from the want of such a department. At present the superintendence of the merchant navy was divided between the Admiralty and the Board of Trade, and, with regard to the latter body, they were without the professional knowledge requisite to enable them to deal with the subject. If the responsibility, therefore, of superintending the merchant navy were thrown altogether upon the Board of Trade, as it seemed desirable should be done, it would be absolutely necessary to give that department some professional assistance. The mercantile department of the

Board of Trade would, therefore, include two captains of the merchant service, who would sit as members, and assist the President of the Board of Trade in everything that related to the mercantile marine. He next proposed to establish a system of examination of masters and mates of the merchant service, to make provision for the discipline of the crews, and to substitute public shipping officers for the present system of licensed agents. He proposed to leave to the present masters and mates engaged in the merchant service the free exercise of their calling without undergoing any examination; for he felt that it would be the height of hardship to men who had been brought up under a different system, to be deprived of the power of exercising that calling unless they passed an examination. The clause providing for an examination would, therefore, be prospective, and not retrospective; but as to the future, he felt it to be important to establish a system under which no man would be allowed to command a merchant vessel without ascertaining, so far as was possible, that he was not grossly ignorant of the duties required from him in that capacity. He was aware of the absolute necessity of dealing with this subject with great caution. He knew that if these provisions were suddenly introduced, if the examination were made in too stringent a manner, and if candidates for the situation of masters and mates were required suddenly to undergo a high scientific examination, much hardship and inconvenience might result. But the House might safely intrust to a Government department the mode of carrying out a measure absolutely necessary to the mercantile marine, resting secure that they would not exercise the powers intrusted to them without due consideration, and that they would not attempt to carry out too precipitately an alteration of the present system. He therefore proposed that, as to captains or mates who had already served, it would be sufficient if they obtained a certificate that they had acted in this capacity; and such a certificate, without examination, would enable them to command a vessel. But if it should occur that, in the execution of their duty, any person so entitled to his certificate as having already served, should so grossly misconduct himself as to prove that either from immoral habits, or ignorance of his profession, the lives and property of men could not be safely intrusted to him, he (Mr. Labouchere) would deprive such a man of that certificate, aad would not allow him to exercise the calling of a captain or mate. Such a provision was much required; for instances had come to his knowledge in which men who had been the cause of frightful loss of life had again found employment, and were again intrusted with the care of men's lives and property. He proposed that there be two classes of certificates, according to the acquirements and merits of the candidates, and also separate certificates for those engaged in the coasting trade. There were men perfectly fit to command a coasting vessel, who were wholly unfit to be engaged on the long voyage. It might be said, and it had been said in communications he had received from shipowners on this subject, that very many of the best captains knew little of science—that they did not believe it was so requisite as had been stated to have these examinations—and that they would not enable anybody to ascertain fully the qualifications of many seamen. He admitted that the examination would of itself go but a little way. He knew there were many things that should be known to the person commanding a vessel, that the examinators might be ignorant of, and that in the employment of all such men much should be left to the judgment and discretion of the owners; but he thought, nevertheless, that the examinations would have a great moral tendency to elevate the position and raise the character of our sailors. In saying so, he was not speaking without the experience derived from other countries. Who were our most important rivals as shipowners? The Baltic Powers, and the United States of America. Now, with respect to the Baltic Powers and the city of Hamburgh, where the whole mercantile marine was on a most admirable footing, and he might say especially in the Hanse Towns, there were establishments for the examination of masters and mates, which examinations were strictly enforced, and found to work well. In the United States the captains and mates were not required to undergo a public examination; but the circumstances of the two countries were very different. He heartily wished that the education of our people in this country could be compared with that which prevailed in the United States. He had had occasion lately to see the sums which the State of Massachusetts alone devoted to purposes of education, and he found that in that State the schools supported by the public were so good, that the richest and greatest men of the State preferred sending their children to them in preference to private establishments; and these institutions had the effect of raising up a class of men fitted successfully to follow out any pursuit to which they might be called—any who might, therefore, be employed with the most perfect confidence by shipowners or any other description of employers. If, therefore, it was said we should not have examinations because they were not made in the United States, the difference between the two countries in point of education ought to be considered. He asked the House, then, to insist upon a system of examination of masters and mates being introduced; cautiously, if they pleased, but still introduced; because, by doing so, he believed they would promote that kind of knowledge which was of the deepest interest to the mercantile navy—they would elevate both captains and mates in the scale of their profession, arm them with proper power over their crews, and confer many important benefits upon all concerned in the navigation of the seas. He now came to the second great division of the subject. Believing that the greatest evils now existed in the manner in which the seaman executed his contract with his employers, and in the manner in which, when he returned from his voyage, he was discharged, he proposed to supersede the present system, and to ask the House to consider what ought to be substituted in the room of that which had notoriously and completely failed. He did not believe that he would be here met with the argument that it was dangerous to interfere between masters and employed—that he would be told there was no reason why the sailor and the captain or shipowner should not make their own agreement—that these were matters with which the State ought not to interfere, and that they should be left to the operation of the general law by which all such things were regulated. Nobody could value more than he did the operation of that general law, believing that people could better take care of themselves than the State could do. But it was contrary to all experience, it was contrary to the opinion of every man who had investigated the subject, to assert that the sailor could take care of himself; or that the contract between the sailor and his employer was of that description that it could be safely left to be determined by hazard, and that it was not the duty of the State to interfere for his protection. He must, besides, remind the Committee that he was not asking them to establish for the first time a system of interference between the employer and the employed. The system now in operation was a system of interference, and it was established from the experience of the evils which a less degree of interference had produced. It was, he thought, in 1836 when the right hon. Gentleman the Member for the University of Oxford was President of the Board of Trade—at least it was during one of the years when that Gentleman was in office, that a Bill was brought in by him which established the present system of licensing agents. No person was allowed to superintend the contract between the sailor and his employer unless licensed by the Board of Trade. The object of this was to prevent crimps, and other persons of bad character, from getting hold of the sailor and inveigling him to his destruction; but after full experience of the Bill it was found to work most unsatisfactorily. The Board of Trade had done its best to give these licenses to none but respectable persons; but they found it extremely difficult to get persons of superior character to be entrusted with the duties. They laid it down as a rule not to give any slopsellers a license, nor any publicans; but they could not help giving it to lodging-house keepers. It was therefore found exceedingly difficult to check the many evils complained of, and they had come at last to the conclusion that if they were to have interference at all, it must be exercised in a different manner. He believed there was no country where the interference of the State generally was watched with greater jealousy than in America; and yet there they had thought it right to enact that, except by a notary public, no sailor should enter into any agreement with his employer. We had not the same class of notaries in this country that they had in America; and the agreement there was one of a very minute kind, and contained most stringent regulations. He quoted, when he last addressed the House on this question, the opinions of Chancellor Kent, a great American lawyer, on the subject, in which he stated his perfect conviction of the necessity of the State interfering by law to protect the sailor. He would now quote the words of a still higher authority, a great English lawyer, he meant Lord Stowell, who, in a judgment which he delivered on the 19th of April, 1825, in the case of the ship *Minerva*, spoke thus of the great disadvantage under which seamen laboured in entering upon engagements:—

> "On the one side are gentlemen possessed of wealth, and intent, I mean not unfairly, upon augmenting it, conversant in business, and possessing the means of calling in the aid of practical and professional knowledge. On the other side is a set of men generally ignorant and illiterate, notoriously and proverbially reckless and improvident, ill-provided with the means of obtaining useful information, and almost ready to sign any instrument that may be proposed to them; and on all accounts requiring protection, even against themselves. Everybody must see where the advantage must lie between parties standing upon such unequal ground, and accordingly these special engagements, so introduced into the mariners' contract lean one way, to the disadvantage of the mariners, and to the advantage of their employers, by increasing the duties of the former, and diminishing the obligations of the latter."

The proposal he had now to make on this subject was essentially unaltered from that of last year, though in some of its details it was improved. It was, to establish in the various seaport towns of this country shipping offices, in which would be placed Government officers, who, for a very moderate fee—a fee much less than was given by the sailors now to one of those crimps who haunted them, and not more than was taken in those admirable institutions the Sailors' Homes, established at Liverpool and London—and for this moderate fee it would be the duty of the officer to superintend the contract between the sailor and his employer; to explain to him the provisions of the contract, and, indeed, to superintend all that related to the interests of the sailor. In the same manner on the return of a ship it would be paid off in the shipping office, and the shipping officer would again superintend the whole affairs of the sailor, so far as concerned his discharge. He found, from the communications he had had with various parties, that an apprehension was entertained by some that respectable people would not be found to fill these situations, that the evils of crimpage would return, and that no effectual check would be given to the injuries at present complained of. It was also feared by some that by the substitution of Government officers for private individuals, there might be introduced some kind of interference—which, however, was pointed at in very vague terms—with the operations of trade. But he thought that for the fees which would be paid, amounting probably to about 150*l*. a year, it would not be difficult to find men in the ports of this country whose characters would be a sufficient guarantee for the proper discharge of the duties required. He thought there would be found in the seaports such men as retired captains of merchant vessels, who were living there with their families, and not desirous of going any more to sea, who would readily undertake and perform the duties required on the part of these shipping officers. In the Bill of last Session he proposed that the shipping officers should have the power of determining disputes between the sailor and his employer. He found, however, that much objection was raised to that provision, and he proposed to substitute for it one that would be safe in its operation. He meant only to allow the shipping officer to decide disputes in cases where both parties should agree to refer them to his decision. He thought there were cases where the shipping officer was not the fittest person to settle the disputes that might arise, but there were many other things that by mutual agreement might be decided by him without putting the sailor to expense for lawyers and the like. He would make this provision voluntary, however, and not in the slightest degree compulsory. When he first addressed the House on this subject, he quoted as a great inducement to believe in the good working of the system —he meant the comparative good working, for he did not suppose that all the evils of crimpage would be removed by it—he found great encouragement from what had taken place in the port of Quebec. He could repeat that argument with even greater effect now. Gentlemen connected with the shipping interest well knew that there was no port in the British dominions where the evils he had spoken of were so rife as in Quebec. There was hardly a port of England or Ireland from which he did not hear complaints of the state of matters there. The crews of vessels were greatly injured and demoralised by what took place there; and the hon. Members for Cork and Limerick were well aware that such was notoriously the fact. This state of things continued till 1847, when the colonial legislature passed an Act establishing a public shipping office, precisely on the principle of that which he now proposed to introduce into England. They had had two years' experience of the working of that system, and the results were most satisfactory and encouraging. In the first place, there was this striking fact, that in two years desertions had fallen off one-half. In 1847 the desertions were 3,058; in

1849 they amounted to 1,333. He held in his hand a memorial addressed to the shipping master of the port of Quebec in 1849, signed by 100 of the most respectable names, in which they said—

> "We, the undersigned, beg to testify to the exertions you have used in promoting the efficiency of the Act for the shipping of seamen in this port. Notwithstanding the difficulties you have had to encounter, you have met them successfully; and we are persuaded the result will be much in favour of the British seaman and of the trade of the port."

He would also trouble the House with a statement from the shipping master, dated January 18, 1850, in which he made use of the following language:—

> "Having the honour of holding the office of shipping master for this port under the Colonial Act, I trust I shall not be intruding on your valuable time if I attempt to lay before you the result of its working up to the termination of the second year. Our port has, indeed, been so long notorious for plundering crimping practices, that it was completely at the mercy of those who considered every ship and every seaman their common prey. At the commencement of the office duties, every conceivable obstruction was thrown in its way by those whose career of plunder was about to be checked, and I had also to regret the want of cordial support from others. The evidence before a committee of the legislature last session proved the office to have rescued the shipping interests from the plunder of 50,000*l.* a year."

He mentioned this to show the vast pecuniary interest those connected with the mercantile marine had in the establishment of a system which would put a check to the great evils to which sailors were subjected. He had also had a document put into his hands, signed by some of the principal firms of Quebec, among whom he found the names of Gilmour and Co., Russell, Wainwright, and Co., and a great many others. These gentlemen, in a petition to the legislative assembly, spoke in the highest terms in favour of the Shipping Act, and were anxious that it should not be repealed. He found great inducement to believe in the good effect of these shipping offices, by the experience they had had of institutions closely analogous to them—he meant the Sailors' Homes in Liverpool and elsewhere. It was not the desire to interfere in the smallest degree with, or to supersede, those institutions. On the contrary, he could not too distinctly say that he felt voluntary exertions of that sort to be beyond anything that Government itself could possibly establish; and, so far from wishing to supersede the functions of such institutions, he proposed to introduce a clause into the Bill to enable Government to adopt these Sailors' Homes, and to make them their shipping offices; to co-operate with them, by furnishing to them the means out of the fees they received to carry on the general objects of those establishments. He now came to the question of the registry of seamen. He proposed, as he did last year, to take power to abolish the present system of registry—not to abolish it at once, for he believed that could not be done without providing some substitute—but to take the power of abolishing it, and to engraft it on the new machinery of the Board of Trade and the shipping offices. He doubted the possibility of altogether dispensing with a system of registry; and he thought, as a means of identifying seamen, it would be particularly valuable for the purposes of a measure to be introduced relative to placing the Merchant Seamen's Fund on a proper and judicious footing. He now wished to advert to the question of advance-notes. His views upon this subject had undergone a material alteration since he last touched upon it. On further reflection, he was not prepared to abide by the opinion he then advanced. He believed that the sailor, on going to sea, must have a power of obtaining money on what were called advanced-notes. But nothing was worse than the present system. The money advanced on the security of such notes was not, in fact, recoverable by law. True, the transaction was legal, but the expense of the process on them was so excessive, that the money was not practically recoverable. Seamen were in the habit of paying most usurious interest—oftentimes not less than 50 per cent on the money lent. It was not easy to abolish the system, but it was most desirable to improve it. The notes never exceeded two months, and the alteration he proposed to make was, that the money should be recoverable by the ordinary legal process, which, not being attended with any great expense, would enable the sailor to obtain money upon much more reasonable terms. A more respectable class of people would advance the money, and the notoriously-bad system which now existed would be abolished. The third great division of his subject was that which related to the discipline and treatment of the sailors. It would go a great way towards improving the discipline of the crews, and of securing good sailors, if means were adopted to insure efficiency on the part of the captains.

Having done all they could to improve the character of those who were intrusted with authority, some alteration in the law was absolutely necessary in order to improve the discipline on board their mercantile ships. The main provisions of the Bill of last year, and to which he still adhered, were these: that captains having a first-class certificate should possess the power of imprisonment for certain offences. It was true this general power now existed, but the captains were afraid of exercising it except in a case of mutiny, because it was not expressly given to them by law; and where the power was not actually given to them by law, in a direct manner, the captains were exposed to great hardship. Wherever, therefore, the power of imprisonment could be carried into effect by captains having first-class certificates, it was most desirable that they should, by an express provision of the law, be enabled to do so. He was aware that some apprehension had been entertained that, by giving this power expressly by statute, Parliament would be weakening the power which now existed by the general law; but he had resorted to the highest legal authorities upon this subject, and they had assured him that there was no danger of the general power given by the law being weakened, while they were of opinion that this additional power would be most useful in the maintenance of discipline. He also proposed, as he did in the Bill of last year, that any wilful breach of duty that should cause the loss of, or serious danger to, the ship or to life, on the part of the captain or mate, should be deemed a misdemeanour. A man who, by drunkenness or wilful misconduct, caused the loss of human life or of the ship, ought to be punished on his return home. He also proposed, as he did last year, that the logbooks should be produced when required, and that they should contain an account of all fines imposed, and of all punishments inflicted; in short, that they should, by the entries, enable the competent authorities to judge how far the conduct of the master had, or had not, been proper during the voyage. Various sanitary provisions were also proposed. He had introduced into the Bill some new provisions of a very important description, and which he believed would produce a very salutary effect. It was well known that, on distant stations, and when ships were engaged on long voyages, there existed a great want of some competent authority to adjudicate on very grave cases that might have occurred on board during such voyages. He proposed that on application to the consul at any of the ports, or to the commander of a Queen's ship, what he (Mr. Labouchere) would call a naval court might be established, composed, if possible, of one commander of a Queen's ship, or one consul; and the rest of the court consisting of not more than three or five members, two of whom should be captains of merchant ships whom they might find in the port where the court was summoned to be held. This court, so constituted, was to adjudicate upon any grave case of misconduct on the part of any master or mate, or of any want of discipline on the part of the crew, and to such court very summary powers were proposed to be given to meet cases of emergency. The want of such tribunals as this had been very seriously felt; and if the House should agree to their adoption, he believed they would be providing a very efficient remedy for an evil that was constantly producing great mischief. There were also provisions in the Bill for checking desertion, and to meet other evils that at present affected our mercantile marine; but, having already trespassed too long upon the House, he would not detain it longer by entering into a description of them. These were the chief provisions of the measures he proposed. The House would perceive that the Bill was not altered in its main principle from the one of last year, although it contained many new provisions of an important character by which that principle would be more completely carried into effect. He, on a late occasion, alluded to a statement made by a gentleman who was one of the most ardent opponents of the Government when they first attempted to alter the navigation laws, but who was at the same time a man of energy, sense, and courage—he referred to Mr. Lindsay—and who, finding that alteration inevitable, had manfully prepared himself to meet the changes which he knew must necessarily follow. He had read various letters recently published by that gentleman, and he was much struck with the manly genius which they displayed. Mr. Lindsay observed, that that man must be blind who did not see that the regeneration of our mercantile navy had become absolutely necessary. This opinion came not from a mere speculator—not from a man who was looking theoretically at the subject; but it came from a British shipowner, who had the manliness to avow the great evils and the great abuses of the existing system, and who had determined manfully to set about amending them. He (Mr. Labouchere) now asked the House to co-operate with Mr. Lindsay, and with other intelligent and enterprising shipowners who he firmly believed were equally ready to carry out those improvements which the altered circumstances of the age imperatively demanded. He had not the vanity to suppose that the measure which he now brought before the House might not through the practical wisdom of such men be considerably improved. So far from neglecting any suggestions, he heartily desired that the Bill might receive every amendment which their experience could give it. He should attend to the discussion of the measure in its progress through the House, and pay the greatest attention to whatever suggestions might come from those who were practically conversant with this great subject. But he could truly say that, with regard to the main principles of the Bill, the opportunity which had been afforded him of reconsidering them during the recess, had served only the more to confirm and stregthen his conviction of their soundness and practicability. He knew that there did exist in many respectable quarters objections against any interference whatever. He regretted to say that such objections had come from the shipowners of Liverpool, who, nevertheless, had established the Seamen's Home, and who were afraid of any interference whatever on the part of the Government with their voluntary exertions. The shipowners belonging to that port with whom he had spoken had told him, that they were capable of managing their own affairs perfectly well; that they could provide good captains, and equip their ships and crews with every facility required; that they took care of those they employed in their old age, and that it was only their own interest to do whatever was proper and right to be done. Now, his answer to these gentlemen who thus addressed him was, that if every man was like them he would at once leave the whole matter to themselves; but could they, he asked—could any man who knew anything of the mercantile navy of this country, deny that some change was absolutely necessary? Could any man deny that the Government were justified in providing means for insuring efficiency on the part of the masters and protection to the crews to whom were intrusted the mercantile navigation of this great country? He would, in conclusion, only say for himself, that if, by this or any other measure, he could contribute anything towards placing the British mercantile navy in that improved condition which he desired to see it assume, there was no object in public life that would be half so gratifying to his ambition.

Mr. CARDWELL did not wish to throw any obstacle in the way of further discussion upon the Bill, but trusted that the right hon. Gentleman would give him an assurance that the day for the second reading of the Bill would not be fixed so early as to prevent ample time being afforded for considering those alterations which had been made in the Bill of last Session. The right hon. Gentleman had paid a compliment to those whom he (Mr. Cardwell) had the honour to represent, and had spoken of an institution in the town of Liverpool which existed for the purpose of carrying out, by voluntary exertions many of those objects which he proposed to carry out through the instrumentality of this Bill. The right hon. Gentleman had also stated that he had endeavoured to mitigate some of the objections which had been urged against the Bill of last Session. He (Mr. Cardwell) trusted that he had been perfectly successful in his endeavours to remove the causes of opposition. But it would be at least premature to say, that he had collected from the right hon. Gentleman's speech how this desirable object was accomplished. By the Bill, as he understood it, the masters and captains of all the merchant vessels would be made the mere creatures of the Board of Trade, inasmuch as the master of every sailing vessel in the country would not be able to go to sea unless he could first obtain his certificate from the Board of Trade. All those who had hitherto commanded vessels were to have certificates; but no person for the future could become a master or captain of a vessel who had not received a certificate that he had passed an examination, from examiners to be appointed by the Board of Trade. Then, again, every master who may have obtained his certificate, whether on account of his previous service, or of his having successfully passed his examination, would be completely in the power of the Board of Trade, as he would be liable to have his certificate withdrawn by that board for any offence. [Mr. Labouchere: Only if the offence were proved before a competent tribunal.] It would still be in the discretion of the Board of Trade to decide whether any crime had been committed such as to disentitle the person of his right to a certificate. These provisions, therefore, whether they were right or wrong, would have the effect of rendering for the future all captains and masters the mere creatures of the Board of Trade. Then, again, the agreements made between the seamen and the owner were not to be considered sufficient unless they were contracted before the superintendents of shipping at the different ports, who were also to be appointed by the Board of Trade. The consequence of this would be, that no crew, and no seaman, could be engaged till the sanction of the officer of the Board of Trade had previously been given to the engagement, and the seamen would also thus become the creatures of the Board of Trade. He was bound to say, that so far as his constituents were concerned, the provisions of the Bill of last Session had caused considerable apprehension among them. The shipowners felt that, being exposed for the first time to unlimited competition with the shipping of all foreign countries, they were at a disadvantage under the Act of last Session, by which they are still prohibited from availing themselves of the cheaper services of foreign seamen; and the difficulties would be increased if they were subjected to the necessity of conforming to whatever might be the regulations of the Board of Trade in every step of their proceedings. They objected also to the production of the log-book; they were fully prepared to admit the necessity of having accurate entries made in the log, and considered the provision, so far, a most reasonable one. The hardship of which they complained was, that they should be compelled to produce the log-book, which might contain entries that did not belong to the particular subject which was required to come under the notice of the Board of Trade, but which referred to private transactions with or on behalf of the owners of the vessels. The right hon. Gentleman must be prepared to meet with considerable discussion in the course of this Bill upon those and other points to which he (Mr. Cardwell) had referred. It was impossible at present to express any very confident opinion in the measure, and he trusted that ample time would be afforded for its consideration previous to the period to be fixed for the second reading of the Bill.

Mr. HUME said, the Bill might be of great use, or might be productive of great evil, according as its provisions were carried into effect. He approved of abolishing the registration of seamen. It had not fulfilled the expectation of the country. He wished to ask the right hon. Gentleman the President of the Board of Trade whether, seeing the superior character of seamen of the United States, it had not entered into his scheme to establish (as was done in America) schools in the seaport towns, where apprentices might obtain instruction? He would suggest that, in the first instance, a power should be given to the board to form establishments at which every man presenting himself might be examined for every class of duty. He would make it a voluntary examination. The necessity of such a step was obvious when they considered the competition to which British ships were now exposed. When merchants asked why they preferred foreign ships, the answer was, that the cargoes were better packed and attended to, and that the crews and officers were of a superior class of men to those of British ships. The suggestion, therefore, he had made, deserved consideration. He thought that the individuals before whom the contracts were to be entered into, should ascertain and see that sufficient security was given both to the captain and to the men, so that when either party failed to fulfil his engagement, those documents might be available. He would suggest that magistrates in the seaports should have the power of deciding disputes between the masters and seamen, and, if possible, without expense; for it was notorious that seamen were the most helpless creatures in the world. He must also observe, that by this Bill a great many new officers were proposed, and, unless some modification of it took place, the right hon. Gentleman would find that objections would be made by those who did not like to be interfered with. There was one other point to which he would advert. To show the strong objection which the owners and masters of vessels entertained against too much interference in their affairs, he might mention that, in answer to 250 letters which he had sent to the profession, inquiring whether they were willing to have a Government inquest in case of the loss of a vessel, only five expressed themselves willing to have such a regulation instituted. Lord Auckland had laid down a rule by which, to a certain extent, every officer in the coast-guard was to inquire as to the causes of shipwrecks in his district; and in several cases it had been found that they had arisen from there being no charts on board. That showed the necessity of having some such inquiry carried on, and he thought it would be desirable to establish some means for that purpose. His principle was, that every profession should carry on its business as much as possible by itself; but he could not agree with the hon. Member for Liverpool that the regulations proposed by the right hon. Gentleman would put the sailor in the hands of the Board of Trade. The suggestions he had made were not made in opposition to the measure; on the contrary, the right hon. Gentleman knew how anxious he was on the subject of regulations for the masters of vessels, and that he had endeavoured to collect from the Continental States what their regulations on that subject were, so as to see whether anything might be taken from them to benefit our system.

Mr. RICARDO said, that what had passed in the course of the debate had demonstrated how impossible it was at that stage to discuss a Bill which was dependent on its details for its proper working; at the same time, he must admit that, considering the constituency represented by the hon. Gentleman the Member for Liverpool, that hon. Gentleman had met the proposition of the Government in the most moderate manner. There was only one point on which he must observe as to what had fallen from the hon. Gentleman. The hon. Gentleman intimated that, in his opinion, the proposition of the right hon. Gentleman would render more difficult the competition which we had now to meet with foreign countries in consequence of the trade being thrown open. He (Mr. Ricardo) believed that if there were any point at all on which we laboured under a disadvantage in that competition, it was from the notorious incapacity of some of the masters and mates of British vessels. He did not accuse the masters and mates of mercantile vessels generally of incapacity. He knew that some were better qualified for this duty than those of any other service in the world; but it would be foolish to shut their eyes to the fact that there was a slur cast on the mercantile marine of England by the conduct of some of the masters and mates in the service, and he could not conceive any difficulty arising to them from the adoption of a system that would place them on such a footing as to get rid of the slur. He understood, from the observations of the hon. Member for Montrose, that that hon. Gentleman conceived the proposition of the right hon. Gentleman went the length of doing away with the registration of seamen altogether. He did not participate in that hope—he should be glad if it were so—but he understood the right hon. Gentleman to say that he would introduce such a system as would enable us to get rid of it before long. It was a most useless, onerous, and expensive system, unpopular with seamen, and perfectly inoperative, and he trusted that this would be a great step towards getting rid of it.

Mr. LABOUCHERE said, there were only two points to which he wished to refer. The first was with regard to what had fallen from the hon. Gentleman the Member for Liverpool. He assured the hon. Gentleman that, before the second reading of this Bill, ample time should be given for the consideration of it. With regard to what the hon. Member for Montrose had said as to the education of seamen, it was quite true that in the Bill he had proposed there were no prospective provisions for the establishment of naval schools in our ports. He should be most unwilling to encumber a subject already difficult enough by the introduction of a system—a very grave one, and which required very deliberate consideration. But the hon. Gentleman was aware that, under this Bill, there would accrue certain funds over and above what would be necessary for the support of the shipping officers, and he did propose to take a general power in the Bill which would enable the Board of Trade, if it were found advisable, and there should appear to be a wish for it with the public, to introduce such a system. His hon. Friend the Member for Liverpool had said he objected to the Board of Trade interfering with the Sailors' Homes. There was no wish to interfere with them when he found them so well conducted as was that at Liverpool, to which not less than one sixth of the sailors of that port resorted; so far from endeavouring to set them aside, he would take them up, and appoint the shipping officers managers of them. He believed that these homes, such as the Sailors' Home in Liverpool, might be the means of doing a great deal of good, and he by no means wished to supersede, discourage, or interfere with them. The hon. Member for Stoke-upon-Trent had asked him for a more distinct explanation as to the registration of seamen. What he proposed to do was, to engraft upon the new system such regulations as appeared to be most desirable; but he did not think it would be right, without consideration, to sweep away the registration at once. He took power in the Bill to do so, but he did not in the Bill actually propose to do away with registration.

"1. *Resolved*—That the Chairman be directed to move the House, that leave be given to bring in a Bill for improving the condition of Masters, Mates, and Seamen, and maintaining discipline in the Merchant service."

THE MERCHANT SEAMEN'S FUND.

MR. LABOUCHERE, in moving a resolution upon which a Bill should be founded for the better regulation of this fund, said, he now approached a subject of the greatest difficulty, of which he felt conscious. It was that of the condition and prospects of the Merchant Seamen's Fund, and the measures it might be desirable to adopt with regard to that subject. He need not remind those Gentlemen who were at all acquainted with the feelings of the sailors of this country, how deep and how just was their dissatisfaction with the condition and management of that fund. It had been the subject of repeated inquiries on the part of the House and by a Royal Commission. It had been the subject of several Bills, brought forward by several Governments; but he was sorry to say the evil still remained, not only unabated, but actually increased and certainly increasing in amount, until the matter was brought to a state in which it had become absolutely impossible for the Government to refrain from laying it fully and completely before the House, and calling upon them to adopt such measures in regard to it as in their wisdom they might think proper. He would shortly state to the House what had been the past history of this fund. It dated from 1746. Before that time the merchant seamen contributed to Greenwich Hospital 6*d*. a month out of their wages, but received no advantage from that institution, it being confined entirely to seamen in the Royal Navy. In 1746 some of the principal merchants and shipowners formed a company to establish a sort of Greenwich Hospital for the merchant service. The Government of that day, moved, he believed, much by public motives, but especially desirous at that critical period of our history to conciliate the feelings of the mariners of this country, amongst whom great dissatisfaction prevailed—he spoke of the time immediately succeeding the great rebellion of 1745—co-operated with those merchants and shipowners in establishing the Merchant Seamen's Fund. An Act was passed incorporating that company. Its object was, as near as possible, to give the merchant service that which the Royal service enjoyed in Greenwich Hospital, and, accordingly, they proposed to erect an hospital, and to grant pensions and gratuities to seamen sick, maimed, and disabled, and to the widows and orphans of those—he begged particular attention to these words—who were killed or drowned in the merchant service. Those were the specific objects for which these funds were intended. The main imposition by this Act was 6*d*. a month for every master, mate, and seaman, in addition to the 6*d*. then paid to Greenwich Hospital. The fund was very much of a charitable nature, and was supported by most liberal contributions from the great merchants and shipowners of that time. They did not possess accurate records of the proceedings of this society, in consequence of those records having been lost accidentally by fire; but it was perfectly clear, from the state of their funds, that they must have received most liberal support from private subscriptions and from the merchants and shipowners of this country. The hospital was never built, but grants of pensions and gratuities were made as had been contemplated. There was no complaint from the merchant service—it worked extremely well, and proved a most useful and considerable fund for the relief of disabled merchant seamen, and the widows and orphans of merchant seamen, but only of those who were killed or drowned in the merchant service. But a great change subsequently came over the condition of this institution. Between 1820 and 1830 it happened, as he thought for many reasons very unfortunately, that the great merchants of this country withdrew from the shipowning trade, and it fell generally into the hands of a less considerable and opulent set of men, and from that period the private subscriptions of that institution greatly fell off, and the state of the fund and the complaints consequent on that state became such that in 1834 a new Act was passed—the Act which now regulates the Merchant Seamen's Fund, the principal provisions of which were that the contributions of the captains were fixed at 2*s*. a month, and the subscriptions theretofore paid to Greenwich Hospital were transferred to the Fund. On the other hand, all widows and orphans of seamen who had contributed were allowed to claim pensions, unlike the former provision, which confined the relief to the widows and orphans of seamen killed or drowned in the service. The society in other respects was altogether unaltered. He regretted to say that the fund under this new constitution had entirely failed. The present state of it might be summed up in very few words. The fund was absolutely bankrupt; the pensions were inadequate of themselves, and grossly unequal at different ports; that was to say, whereas the seaman contributed the same amount of money, no matter what port he belonged to, the pensions he received in his old age were altogether unequal, according to the accident of his having passed the last five years of his life in this or that port, and, in fact, the whole system would soon be in complete insolvency. The sailors' dissatisfaction at this state of things was great and justifiable. There was a fund to which seamen were compelled to contribute—the House must never lose sight of the fact that it was not a voluntary act—and under the management prescribed by the Act of Parliament pensions of unequal amount were paid to men whose contributions were on a par, whilst the fund itself was reduced to the brink of insolvency, and, if left to itself, it would in a short time be insufficient to pay even the present inadequate pensions. The disparity in the amount of the pensions paid to seamen who had contributed equally to the fund, arose from the circumstance of the mariner receiving his pension at the port at which he had resided during the last five years of his service; and it happened that the ports which sailors selected for their residence towards the end of their career were different from those at which they were located during the more active part of their career. Experience showed that it was in the usual course for seamen to enter first into the foreign trade, and, subsequently, as their powers began to decay, they established themselves in the coasting trade; and those trades being chiefly carried on from different ports, the result of the regulation which apportioned the pension to the port with which the last five years of service were connected, was disadvantageous to the sailor in the way he had stated. To show how the system worked, it was only necessary to refer to the tonnage of four ports, and the number of recipients of the fund at each of those ports. At Liverpool the tonnage was 407,207, and the number of recipients 1,044; at Newcastle the tonnage was 311,303, and the recipients 2,687; at Sunderland the tonnage was 191,374, and the recipients 2,053; at Whitehaven the tonnage was 38,821, and the recipients 744. Thus, while the tonnage of Liverpool is greater by one-fourth than that of Newcastle, the number of pensioners of the former was only one-third of that of the latter. The tonnage of Liverpool was more than double that of Sunderland, but the pensioners were double the number at Sunderland. The tonnage of Liverpool was more than ten times that of Whitehaven, but the pensioners at the former port are not nearly twice as numerous as those at the latter. Those figures at once made apparent the inequalities of the existing system. As a corollary to the foregoing statement, he would put the House in possession of the rates of pension paid at different ports. At Belfast the average rate of annual pension was 7*l.* 10*s.*; at Liverpool, 7*l.*; at Dundee, 6*l.*; and at about that rate it stood until we came to some of those ports to which sailors in their old age resorted in order to embark in the coasting trade. At Newcastle the average rate of annual pension was 1*l.* 16*s.*; at Whitehaven, 1*l.* 10*s.*; at Poole, 1*l.* 4*s.*; of Sunderland there was no return, but the rate there was probably extremely low. It was now necessary to call the attention of the Committee to the manner in which the fund had been absorbed by the alteration of its constitution enabling widows and children of seamen, without distinction, to claim pensions. The pensions due to widows and children amounted to 36,866*l.*, whilst those granted to seamen reached only 18,391*l.* So much for the arbitrary and capricious manner in which the present system worked. The more serious evil remained to be noticed, and he could not designate it otherwise than as the insolvency of the fund. It was not his intention to demonstrate the insolvency of the fund by any nice calculations; it would be sufficient to refer to the report of the Commission over which Lord Ellenborough presided a few years ago, and by which the whole subject had been ably investigated and scrutinised. That Commission, of which the hon. Baronet the Member for the Tower Hamlets was a member, and assisted by Mr. Finlayson, the actuary, established the fact that the fund was in a state of complete insolvency, and that if it were allowed to go on for a short time longer the result must be utter ruin. The Commission held that, in order to determine as to the solvency of the fund, recourse must be had to the general principles by which insurance societies were regulated; for the fund differed from private benefit societies only in being compulsory instead of voluntary, and in having its contributions and distributions determined by law instead of by agreement. Tried by that test the fund proved to be insolvent in the aggregate, and also more or less in all its parts. In various ports the fund appeared to be more or less in a comparatively prosperous condition; but there was scarcely one in which, if left under the existing system, it would not shortly become insolvent. The assets and liabilities of the fund in respect to existing pensions on December 31, 1846, were thus stated in the report of Lord Ellenborough's Commission:—

> " 1. Of the whole Fund. — Value of existing pensions, 506,586*l.* 4*s.* 5*d.*; investments, 202,696*l.* 4*s.* 5*d.*; balance in hand, 29,925*l.* 5*s.* 11*d.*: balance against the whole fund, 273,964*l.* 14*s.* 1*d.* 2. Of the Funds under the Management of the London Corporation.—Value of existing pensions, 162,439*l.* 16*s.*; investments, 53,944*l.*; balance in hand, 857*l.* 15*s.* 10*d.*; balance against this part, 107,638*l.* 0*s.* 2*d.* 3. Of the Aggregate Funds of the Outports. — Value of existing pensions, 344,146*l.* 8*s.* 5*d.*; investments, 148,752*l.* 4*s.* 5*d.*; balance in hand, 29,067*l.* 10*s.* 1*d.*: balance against outport funds, 166,326*l.* 13*s.* 11*d.*"

The state of things which he had described had attracted the attention of Parliament and of successive Administrations. The right hon. Baronet the Member for Dover a few years ago, when he was Vice-President of the Board of Trade, introduced a Bill which was intended as a remedy for the evil. The right hon. Member for the University of Oxford also introduced a Bill for the same object. It was likewise his (Mr. Labouchere's) lot two years ago to bring in a measure founded on the report of Lord Ellenborough's Commission. All these attempts of successive Governments to cure the evil had unfortunately failed. The Bill which he introduced proposed, in the first place, to effect a saving by consolidating the various boards established for the administration of the fund. It was intended that the management of the fund should be altogether placed in the hands of the Trinity-house. It was further proposed, by way of augmenting the fund and rescuing it from insolvency, that 1*s.* a ton should be paid by shipping, and that the sum of 25,000*l.* a year, which was paid by the Trinity-house for analogous purposes, should be united to the Seamen's Fund, and administered in conjunction with it. It was likewise proposed that at the expiration of five years no more pensions should be granted to widows and orphans. Those were the chief provisions of the Bill which he introduced, and they were founded upon the recommendations of the report of Lord Ellenborough's Commission, for he did not feel himself warranted in departing from the suggestions of that able and well-considered document. The representatives of the shipping interest in that House were so unanimous in their condemnation of the proposal for placing a tax of 1*s.* a ton on shipping, that he was obliged to abandon it. It was now necessary for the House to consider what should be done. To postpone that consideration further, would be improper in the face of the just and growing discontent of the seamen with reference to the question. No one, he apprehended, would recommend that the thing should be allowed to take its own course until utter insolvency ensued, and that the seamen who had been compelled, by Act of Parliament, to contribute to the fund during the whole of their lives, in the expectation of receiving a pension, should be left destitute in their old age. The House and the country were responsible to the seamen for their pensions. It would be dangerous to disregard the just claims of the seamen; but he did not wish to appeal to a sentiment of prudence; he would rather appeal to a sense of justice. Dismissing, therefore, the supposition that Parliament would allow matters to remain as they were, two courses were open to them. One was to undertake the responsibility of discharging all legitimate claims upon the fund, and, at the same time, to put an end to the system as one which had proved to be vicious. To that course he could not accede. The other was, to put the fund on a proper footing, and to provide in future for seamen not unequal and inadequate pensions, but pensions which would be valuable to seamen in their old age, and which might conduce to an important national object, by inducing mariners to engage continuously in the service of England, and attach themselves to her shores. Those, then, were the objects which he proposed effecting by the measure he was about to introduce. In the opinion expressed by Lord Ellenborough's Commission, that the fund ought to be placed under central authority, he entirely concurred. It was his opinion, also, that this central authority should not be a Government board, but an institution independent of the Government, and he, therefore, proposed, as Lord Ellenborough's Commission had done, to entrust the general management of the fund to the Trinity-house, with authority to amalgamate with it their own annual fund of 25,000*l.*, and to dispense both under one uniform system. At the same time, it was desirable that the Trinity-house should not exercise the power confided to them altogether without control; and, therefore, he proposed that the two mercantile naval officers, who, under the other Bill which he had opened to the House that evening, were to advise the Board of Trade on matters connected with the subject to which that measure related, should be joined with the Trinity-house in the management and distribution of the fund. It would also be provided that the Trinity-house should present periodical accounts of the state of the fund to Parliament and the Board of Trade; this would furnish a security for good management. The next point to which he would call the attention of the Committee was, that if the Merchant Seaman Fund were to be continued, it ought to give disabled seamen something worth having. The wretched doles bestowed on them were of little use; and the fund would not be placed on a satisfactory footing unless they raised the payments to such an amount as to exercise a material influence on their condition in old age. It was proposed, therefore, that the merchant seaman should not receive less than 6*d.* a day from this fund; and it appeared just and proper that, as the contributions were to be equal, so should the pensions—that it should not chance, according as a man was set down at Sunderland and Liverpool, that he should have three times as much as he would have at any other port. It was proposed, then, that every one who contributed should, on an average, receive 6*d.* a day when he became a pensioner. In order to effect that object, it was necessary to make some important alterations in the sources from which the money was derived, and also in the distribution. In the first place, he proposed to raise the sum paid by the sailor from 1*s.* per month to 1*s.* 6*d.* He was assured, by those most conversant with the feelings and opinions of that class of men, that if they saw and were persuaded those contributions would secure for them a valuable pension in old age, the increase would be readily accepted. But he further proposed to revert to the original rules of the institution with respect to the pensions of widows and children. If they wished to keep within reasonable bounds, they must revert to the system by which pensions or gratuities were given only to the widows and orphans of sailors killed or drowned in the service. The alteration was not intended to apply to widows or orphans who now received pensions, for such a measure would be harsh and unjust. Nay more, he felt it would be very improper to deprive of pensions those who had a strong probability of receiving them. He proposed that, after a period of five years, no names, except those of the widows of sailors killed or drowned, should be placed on the lists; so that, for the next five years, all widows would have their names placed on the lists. There would still remain a deficiency of 30,000*l.* a year to be supplied before the fund could be brought to a state of solvency. On the whole, he was prepared to recommend that that 30,000*l.* a year should not be drawn from a tax on the shipowner, or from an increased mulct on the sailor, but should be contributed by that House. Considering the great public and national objects of retaining to the State the services of their sailors, he believed it would be sound policy, as well as true humanity, to assist a fund in which that class were so interested by a moderate contribution; and he had every reason to think — having gone through the calculations, and consulted Mr. Finlayson—that, according to the plan of which the chief provisions had now been described, a system would be established which should ensure to a master or mate, the moment he becomes disabled, a pension of 1*s.* a day, and to a common sailor 6*d.* a day. Such were the outlines of the scheme he ventured to recommend. He was aware of the difficulty which attended the subject; but he was convinced that, in some way or other, the House must deal with it; and it would be scandalous if matters were to be left in their present position. He felt assured that the plan he had proposed would give the greatest satisfaction to a class of men who deserved the solicitude and care of the Legislature as much as any class of Her Majesty's subjects, and to whom some compensation might justly be awarded for the great injury and injustice which they had for a series of years had to sustain.

Mr. HUME said, he approved of the plan of centralisation alluded to by the right hon. Gentleman, but dissented from the provision that they ought to supply this fund by substracting from the scanty wages of the seaman. Why not, as the Committee upstairs recommended, abolish the light-dues, and place a duty of 1*s.* a ton once a year on the registered tonnage of the country—an impost which would not only maintain all the lighthouses, but provide ample funds for the object the right hon. Gentleman had in view? The late Mr. Soames was of opinion that 1*s.* per ton on the tonnage registered once a year upon the whole of the ships of all nations, would maintain all the lighthouses in Scotland, England, and Ireland, and leave an adequate fund for a pension of at least 6*d.* a day to the seaman. He was surprised that the Government should think of placing more funds at the disposal of the Trinity-house. It would be found that the people at the Trinity-house could not properly manage this fund. As it was, the lighthouse dues at present paid, amounted to from 350,000*l.* to 400,000*l.* a year, while the system of management was most unsatisfactory and imperfect. He considered the Trinity-house to be a great burden, and he could not conceive why the lighthouses in this as in all other countries were not maintained by the State. Of what use was Lord John Russell or Sir James Graham as members of the Trinity-house? The thing was a mere mockery. There was evidence upon the table to show that every shipowner was willing to contribute 1*s.* per ton to the abolition of the lighthouse dues and for the provision of a seaman's fund. Those funds were now extended as a matter of favour, whereas they ought to be a matter of right. The seaman ought to have the same right to a pension as the soldier. He protested against putting any more power into the hands of the Trinity-house. No class of men led a more severe and arduous life than seamen. They were generally attacked with rheumatism, and seldom reached even the middle period of human life. Why should there be a divided management of the Seamen's Fund? Why should it be partly administered by the Board of Trade and partly by the Trinity-house? Why not altogether by the Board of Trade? The Government actually declared itself incompetent to manage a public fund without calling upon the Trinity-house for aid. The sum which the right hon. Gentleman proposed to take from the sailor, although it sounded small, was a great deal to him, and he could see no reason why the poor merchant sailor was thus mulcted, and why the commercial marine of this country was obliged to maintain the lighthouses, whilst Her Majesty's ships of war and gentlemen's yachts did not contribute a shilling. He felt bound to express his decided dissatisfaction at many of the provisions of the measure.

Sir G. CLERK observed that, as Vice-President of the Board of Trade, he had introduced a Bill on the subject. The right hon. Gentleman the President of the Board of Trade had taunted him for not bringing it forward sooner; but from the objections taken to the most important part of the measure, which agreed with the present one in regard to centralisation of management and equalisation of pensions, it was found necessary to drop the Bill. The right hon. Gentleman might experience opposition from the outports where some funds were perfectly solvent—others the reverse; and many had been formed by liberal donations from parties who desired to benefit persons connected with their own port. He feared an attempt was made to do too much with small weekly or monthly subscriptions. Few sailors were fit for service after 45 or 50; a seaman was fortunate if he were employed ten months in the year, and the fund raised from payments of 1*s.* a week was obviously inadequate. But he doubted the policy of raising the payment to 1*s.* 6*d.* In the end the money must be paid in additional wages by the shipowners, who would be better pleased if a yearly contribution were required of 1*s.* per ton, which would yield 5*l.* for every 2*l.* raised at present. He did not understand from the right hon. Gentleman whether, in addition to the 1*s.* 6*d.* a month, he intended to take the sum of 25,000*l.* at present paid by the Trinity-house, and that then there would be a deficiency of 30,000*l.* to be supplied from the Consolidated Fund. For himself, he must say, if it were thought essential to maintain this pension fund, that he did not see the equity of granting a bounty of 30,000*l.* a year to the shipping interest at this moment, when there were other interests which had equally strong claims. He thought it would be infinitely preferable to adopt the recommendation of Lord Ellenborough's Commission, which he regarded as a much simpler and better plan. He should like to know also whether the right hon. Gentleman proposed to grant these pensions, subject to a certain length of service or age of the seaman, or was the disposal of this large sum of money to be left with the board? Unless some check of that nature were imposed, he feared that the amount spoken of by the right hon. Gentleman would be inadequate to the purpose contemplated.

Mr. LABOUCHERE said, the right hon. Baronet had been more successful in pointing out the difficulties of the question than any practical remedies. Of the difficulties of the case he was well aware, and he knew how strong was the objection raised by local interests to any settlement of the question that involved the principle of centralisation—a principle, however, without which he was convinced it would be impossible to arrive at any satisfactory conclusion. With the greatest reluctance he had proposed to increase the contributions from the sailors; and he should not have done so unless it were accompanied with a grant of 30,000*l.* from the Consolidated Fund. Under the circumstances, he had no fear, if this Bill were properly explained to the sailor, but it would become most popular. It was in truth a most liberal measure, and he was sure when the sailor saw the fund placed on a sound foundation, and himself receiving an increased pension, he would view it in that light. With regard to the observations of the hon. Member for Montrose, he must observe, that the question of light-dues was not before the Committee; but he believed that by the measure of last Session great and substantial relief had been granted to the shipping interest; and he had received most satisfactory assurances from the coasting trade to that effect. Not only had the Trinity-house carried out fully the assurances which he had made in their name, but other corporations, feeling the pressure of public opinion, were acting in the same manner. Only two days ago he had received a communication from Liverpool, informing him that the pilotage board of that town had made a regulation by which steamboats between Liverpool and Ireland would no longer be required to take pilots unless they used them; and, by this relaxation, 3,000*l.* a year would be saved to one company alone. Before asking the House to arm the Government with more compulsory and summary powers in these matters, he was anxious to allow time for public opinion to have its full influence.

Mr. W. FAGAN was opposed to the system of centralisation, as suggested by the right hon. Gentleman the President of the Board of Trade, and concurred with the right hon. Gentleman the Member for Dover in his regret that the right hon. President had not brought the same measure which he had introduced two years ago, for he thought the shipping interest of this country and of Ireland would contribute 1*s.* a ton on the tonnage of the country, as they had an equal interest with the sailor in the matter. He, however, concurred in the principle of the measure, as he thought it most desirable that the pensions should be raised to 6*d.* a day. He trusted the right hon. Gentleman would reconsider the question as to the imposition of 1*s.* on the tonnage.

Sir W. CLAY explained the course which had been taken by Lord Ellenborough's Commission, of which he had been a Member, and confessed that, paternity apart, he should have preferred a measure founded upon that report to the present plan. At the same time, that even was preferable to allowing the fund to fall to the ground. He quite agreed in the propriety of cutting off the pensions to widows except in the case of accident or drowning. With regard to pensions to the seamen themselves, it might often happen that an excellent sailor might, through accident, be prevented from following his avocation at an early age. The Commission, feeling this difficulty, had used no other qualifying term than "disabled." He thought, that, in order to do justice, it would be necessary to give a large discretionary power to those who should have the distribution of the fund.

Mr. CARDWELL said, that when a proposal of this sort was announced to them for the first time—a proposal from the Government to make from the Consolidated Fund a grant of 30,000*l.* a year, or, in other words, to present them with something like a million of money, it was desirable that hon. Gentlemen should have time allowed them to consider the subject, and to consult with their constituents before pledging themselves to anything definite. The difficulties which had heretofore occurred had arisen from insolvency, occasioned by bad management; and it was now proposed to place the funds under central instead of local management. He thought the experience they had had of central management in London was not such as to encourage them to expect that these funds would be better administered by a central authority than they had been by local managers. The hon. Member for Cork and himself happened to represent places where funds had been well managed by local authorities, while central management had resulted in insolvency. He understood it was proposed that the central management of the funds should be in the hands of the Trinity Board, aided by some Gentlemen from the Board of Trade. Now, he thought these Gentlemen from the Board of Trade would be likely to have very considerable control in the disposition of pensions, which were not to be matters of right but of favour; and they would find much jealousy on the part of local contributors, if the funds were placed to such an extent in the power of the Government.

Mr. HEADLAM considered, that the changes proposed by the right hon. Gentleman, entitled him to the thanks of the shipowners of the country. He (Mr. Headlam) did not agree with the hon. Member for Liverpool in his objections to a system of central management; for he believed that under such a system the funds were likely to be administered with far more justice and fairness than was the case at present. He concurred with the hon. Member for Montrose in thinking that the share of control which was proposed to be given to the Trinity Board would be very objectionable; for, although that board nominally contributed 25,000*l.* a year to the funds, the amount was really charged upon the shipowners. He would rather see the funds under the control of a responsible Government board, represented in that House, and who might by their representative be called upon for explanations as to the discharge of their duties.

"2. *Resolved*—That the Chairman be directed to move the House, that leave be given to bring in a Bill for regulating the Merchant Seamen's Fund."

ADMEASUREMENT OF TONNAGE.

Mr. LABOUCHERE said, he had again to trespass upon the attention of the House for a few moments, with regard to a measure which was of great importance to the mercantile marine of the country, but upon which he felt himself incompetent to express an opinion. He had now to move a resolution for leave to bring in a Bill for regulating the admeasurement of the tonnage and burden of merchant shipping. It was obvious that in dealing with this subject, scientific knowledge was required, to which he could have no pretensions; but the measure was founded on the recommendation of a commission appointed during the last Session to consider this important question, at the head of which was Lord John Hay, who had lately resigned his seat in that House, and who had been assisted by the chairman of Lloyd's, by several of the most eminent shipowners of the country, and also by gentlemen professing the highest scientific knowledge. He felt, therefore, that he brought forward the Bill upon authority which would induce the House to receive it with favour, and to give it their attentive consideration. He would only state to the House the general principles on which the Bill was founded; and he believed, if it were adopted, it would obviate the acknowledged evils of the present system, and would tend materially to improve the building of the ships engaged in our merchant navy. The present system of measurement was established by an Act passed in the 9th Victoria, to obviate the defects of the present system. The tonnage of the ships had previously been calculated by the breadth and length of the vessels alone, without considering their depth. This led to the construction of ships, with a view to the payment of tonnage dues, in a manner equally inconsistent with their appearance as works of art, and with good sailing qualities. Under the present system of measurement, however, in computing the internal capacity of a ship, the depth of the vessel, as well as the length and breadth, was taken into consideration; but experience had shown that the existing system was scarcely an improvement upon that for which it had been substituted. Ships were built in a manner which would enable them to carry a large amount of cargo at the least charge for tonnage dues. The existing system, he believed, operated very unjustly with regard to the larger class of vessels as compared with the smaller class. The system of measurement which had been proposed by the commission, and which he ventured on their authority to recommend to the House, was founded upon the basis of real power of carrying cargo, as measured by the displacement of water, or the correct external cubical contents of the vessel. The commissioners had suggested an adjustment of the new to the old system, which he apprehended would be carried out without any practical difficulty; but he would not trouble the House with details on these matters. He would only observe that, with regard to steam ships, the engine rooms would not be included in the admeasurement of tonnage.

> "3. *Resolved*—That the Chairman be directed to move the House, that leave be given to bring in a Bill for the Regulation of the Admeasurement of the Tonnage and Burthen of the Merchant Shipping."

Resolutions reported.

Bill on the First Resolution, Bill on the Second Resolution, and Bill on the Third Resolution, ordered to be brought in by Mr. Bernal, Mr. Labouchere, and Sir Francis Baring.

PARLIAMENTARY VOTERS, ETC. (IRELAND).

SIR W. SOMERVILLE, in rising to move for leave to bring in a Bill to amend the laws for regulating the qualification and registration of Parliamentary voters in Ireland, said, it would not be necessary for him to enter into any lengthened details, inasmuch as he had twice before obtained leave of the House to lay this Bill—in substance—on the table, but which, for unavoidable reasons, it was found impossible to proceed with beyond a second reading. He might, however, say, that the necessity of some such measure had increased since the matter was last under consideration; and they had now arrived at that point when it was absolutely necessary, if they meant to have constituencies in Ireland at all—and, as they lived under a constitutional Government, he presumed it was meant to have them—that some alteration should be made. He had said that it was unnecessary for him to go into any statement of the details of the measure, for, when he first brought in the measure, he explained fully the grounds on which it was proposed to legislate, and the particular nature of the provisions of the Bill. He did not now propose any material alterations from those provisions. It would be remembered that when he brought in the previous Bill, he said he proposed to abolish all franchise resting on occupation, and to substitute for it a simple rating qualification, fixing the value at 8*l*., and to that principle he proposed still to adhere. In the Bill of last year he included the town constituencies, and he now included the town and borough constituencies, retaining the same amount of qualification, the 8*l*. rating. He proposed, however, to make one or two alterations in the Bill of a trifling nature; but, as the principle was entirely the same, he hoped to be allowed to introduce it, and that the discussion would be taken on the second reading. The first alteration which he proposed to make in the Bill was to do away with the fixity of tenure, and give the franchise to all paying an 8*l*. rate. By the 6 & 7 Vic. c. 9, the five towns of Dublin, Cork, Waterford, Limerick, and Belfast, the immediate lessor was made answerable for the payment of the rate: he proposed that this should be extended to all Ireland. He proposed also that tenants for life of fee-simple, of the value of 5*l*., should have votes. The present state of things in Ireland, arising from the tenure of land, was of a most disastrous character, and he believed that if the franchise were disconnected from it, it would have a most beneficial effect. Having been permitted to introduce the Bill on a former occasion, he should not trouble the House with any further statement at present, but would simply move for leave to introduce it.

MR. STAFFORD wished it to be understood that, in offering no opposition to the first reading of this Bill, no one was pledged to its principle—or that part which the right hon. Gentleman had chosen for the principle—or the details of the Bill, particularly as to the amount of qualification. The present state of Ireland—although he admitted the present was a season opportune in some respects for the introduction of a Bill of this kind—was a reason *pro tanto*, in his opinion, why the Bill ought not to advance further. The Bill took the franchise upon the amount of rating; but nothing could be in a more unsettled state. In the part of the country with which he was best acquainted, political changes were lost in the social miseries that existed. Great would be the disappointment of Ireland when it was found that the first measure this Session was one that did not address itself to the sustentation of human life rather than to political changes. He saw so many statements, and knew personally of so great an amount of misery in his part of the country, that he deeply regretted that the Motion which stood upon the Orders of the Day had not been taken. He regretted the illness of the right hon. Baronet the Chancellor of the Exchequer was the cause, but he trusted that the Government would not delay a single week before it addressed itself to the relief of the famine-stricken masses in Ennis, in Kilrush, in Scariff, in the county of Clare, and in other counties, in all of which there reigned a state of things which was a disgrace to England. The right hon. Gentleman the Secretary for Ireland had spoken of leases; but let it not be understood that it was owing to the Act as it stood that the constituencies had been diminished. The Act, as it stood, had in it the means of creating, he might say, a multitudinous constituency; but the recent diminution had arisen from circumstances so painful, but, at the same time, so well known, that he would not introduce them. With regard to leases, there was a strong feeling in the country against them just now. The relations of landlord and tenant had been so unsettled by the potato famine, and the repeal of the corn laws, that tenants were not inclined to make permanent engagements of that kind. The state of the country was, however, only to be met by measures for the proposal of which Government was responsible.

SIR D. NORREYS denied that the non-existence of leases was not entirely because the tenants were disinclined to accept leases; the landlords were equally disinclined to give leases. He thought the Bill would disfranchise many freeholders.

MR. H. A. HERBERT observed that any system of franchise founded on the present valuation must entail monstrous injustice, because it would differ in almost every district. He begged to call the attention of the right hon. Baronet the Secretary for Ireland to the inequality which existed in that respect, and to assure him the people would see the injustice of it.

MR. M. O'CONNELL said, that as to the question referred to by the last hon. Member, the guardians would have the power of making a fair valuation in six months. The only objection he had to the Bill was, that the rating of 8*l*. was too high, and he suggested a rating of 5*l*. as preferable. It would turn out, that those who were expected to have a rating of 8*l*. could not be rated higher than at 6*l*. or 7*l*., so great had been the depreciation of property and the pressure of the poor-law. By their legislation they had made the pauper the lord in fee-simple of the land, and had taxed the hardworking for the support of the idle and lazy. Let them at least give to those who were struggling to live on worse food than the pauper got in the workhouse a right to say they had derived some benefit from the legislation of that House.

MR. FRENCH was surprised at a Bill which, for the first time, introduced the principle of striking off those voters who had been already placed on the registry. It was not only a Bill for the extension of the suffrage, but for the collection of the poor-rates, for the rate must be paid before the franchise was available. The tenants-at-will would be mere tools in the hands of the landlords; or, if they exercised any independent feeling, would be subject to eviction; so that great misery would be brought upon them.

MR. GROGAN said, that up to a certain point he agreed with the principle of the measure, but he considered that to make it beneficial it would be necessary to introduce one general system of valuation throughout Ireland. He asked, was it intended that parties should be placed upon the register who were simply rated, or was the previous payment of the rates to be required?

SIR W. SOMERVILLE said, that the payment of rates due up to the 1st of January must be made before the parties could be placed on the register.

MR. SCULLY was glad to find that the right hon. Gentleman appeared at last in earnest on this subject—that he was at last aware of the absolute necessity of passing a Registration Bill for Ireland. He (Mr. Scully) trusted that the right hon. Gentleman was really in earnest, and that he meant to pass his Bill, notwithstanding the objections of hon. Gentlemen opposite with respect to the state of the poor-law valuation—objections in which, he confessed, he did not see any very great force. He hoped the right hon. Gentleman would not postpone his Bill on account of any such reasons as those, for in Ireland it was really a question, as matters now stood, of whether they should have any franchise or none. Whilst he said this, however, he bore his full testimony to what had been stated by the hon. Member for Northamptonshire as to the distress in those parts of the country to which he had referred; and he hoped they might—indeed, it was most essential that they should—have an early discussion in that House on the state of Ireland, which he considered had not been sufficiently pressed upon their attention, either in the Speech on opening the Session, or in any of the speeches of those who had addressed the House on that occasion. The state of that part of the kingdom, its wants and its grievances, were such as to require the introduction of measures by the Government calculated to raise the social condition of the people, and develop, by reproductive employment, the resources of the country. He regretted that such measures had not come first on the list of the measures it was intended to bring in in reference to Ireland.

Lord C. HAMILTON expressed his regret that the right hon. Gentleman had not accompanied his statement on this measure with some observations which might induce the House to hope that he was prepared to take steps to improve the present state of the valuation in Ireland, and make it more uniform. It was not now in a state which fitted it to be made the permanent basis of a franchise.

Leave given.

Bill ordered to be brought in by Sir William Somerville, Sir George Grey, and Mr. Solicitor General for Ireland.

PRISON DISCIPLINE.

Sir G. GREY moved for a Select Committee to inquire into the rules and discipline established in prisons in England and Wales. He said it would be recollected that late in the previous Session the hon. Member for Lambeth moved for a Committee to inquire into the merits of the specific plan which he desired to have adopted with respect to the treatment of prisoners. In the debate which took place on that occasion, an Amendment was moved by the hon. Member for South Leicestershire, for the purpose of making the inquiry general, instead of confining it to any particular plan. To such an inquiry, he (Sir G. Grey) consented; but, as it appeared improbable that it could be brought to a close during the short remainder of the Session, the Amendment was withdrawn on the understanding that at the commencement of the present Session he should himself move for a Committee in the same terms. The Motion before the House was not identical in terms with the Amendment of the hon. Member for South Leicestershire, some exception having been taken to those terms, but they were similar in substance, and embraced the same matter which was inquired into by the Committee of the House of Lords which sat several years ago on the same subject. He hoped that no objection would be offered to the Motion.

Motion made, and Question proposed—

"That a Select Committee be appointed to inquire into the rules and discipline established with regard to the treatment of prisoners in Gaols and Houses of Correction in England and Wales."

Mr. C. PEARSON said, that if it was to be understood that the object of this Motion was to take out of his hands the proposal which he had made last Session, he should take the sense of the House on the question. In that case he would not be compromised. He would, on an early day, submit to the House a specific Motion, unless in the mean time the right hon. Baronet consented to mould the terms of the inquiry so as to embrace his object. That there might be no mistake, he would repeat his former statement, that under a sound system of prison discipline the criminal class, which now cost the nation 450,000*l.* a year, might be made to maintain itself by its own industry, without inflicting injury on any class of the community. Give him a fairly selected Committee, and he was prepared to pledge himself that if that Committee did not report that his object was practicable, he should no longer desire to retain a seat in that House, being there wholly and solely for the purpose of endeavouring to convince the House that the result which he had stated would flow from the application of the principles on which he had taken his stand. He asked if the representative of one of the largest constituencies of this country was fairly treated in having the Motion taken out of his hands, when, in the agony of despair, on opposing the Motion he was invited to postpone it till the ensuing Session, because it was too late then to inquire into it. It was not too late now. He had brought with him a large mass of papers—but it was not his intention to produce them—unless his statements were contravened. Talk about the system of discipline in gaols in England and Wales! There was not in any one of them any regularity worthy the denomination of a system. A harlequin's jacket was of a consistent colour in comparison with the variety and discrepancies of the so-called systems which prevailed in this country. In some parts of the kingdom, the average annual expense of a prisoner was 6*l.* 1*s.* 10*d.*; in other parts, 50*l.* 2*s.*; and throughout the country the average was 29*l.* 10*s.* And then the cost of prison accommodation was, in some parts, 300*l.* for each prisoner; while, in other places, there were wooden prisons where the cost was 40*l.* each prisoner. He was ready and willing to form a portion of this Committee; but if elevated to that post, he would not compromise a whit of his independence. He would go there for the purpose of getting all the facts he could, and then he would come to the House to get all the House would give him. He had been an agitator in his day, and it was his intention to be an agitator again; but he had suspended his functions as an agitator during the interval after he received from the right hon. Baronet the assurance that this subject should be inquired into, and to-day he met him here to redeem that pledge. But he scarcely expected such a performance from the liberal exponent of a Liberal Government. He expected that he should have had a resolution instructing a Committee to inquire into the subject he propounded, when it was first taken out of his hands. If the right hon. Baronet would enlarge the Motion, and give him an opportunity of concurring with him in the nomination of a few Members of the Committee, he should be satisfied; but if the right hon. Baronet folded himself in the dignity of his office, and chose to put down an independent Member, which, by official power and numbers, he might do, he (Mr. Pearson) would look forward to a future day when he should become stronger in the House, and struggle with him more successfully on the question.

Mr. MONSELL said, his objection to the appointment of the Committee was, that a very important portion of the empire was excluded from the benefit of this inquiry. He expressed his surprise that the right hon. Baronet the Home Secretary should have made such a proposition to the House without including the gaols of Ireland. They were bound to apply some immediate remedy to the present most disastrous and disgraceful state of things in that country. He would, therefore, entreat of the right hon. Gentleman to add the word "Ireland" to his Motion.

Sir G. GREY said, that the hon. Gentleman the Member for Lambeth had been rather hard upon him. The fact was, that it was not he who took the Motion out of the hon. Gentleman's hands. The Amendment last Session was moved by the hon. Member for South Leicestershire, and a large majority of the House seemed to think that an inquiry specifically directed to the plan of the hon. Gentleman was inexpedient, and that it ought to be enlarged so as to include the state of the gaols generally. He could assure the hon. Gentleman that, in making the present Motion, he had no idea of doing anything to sacrifice the hon. Gentleman's independence; and that he should be glad to have the benefit of his services on the Committee, if he was willing to serve. With respect to the terms of the inquiry, he thought them large enough to enable the Committee to consider any improved system that might be brought before them; but he objected to add any specific direction imposing upon them the necessity of taking up the particular scheme of the hon. Gentleman. He would leave it to the discretion of the Committee to do so or not, as they might think proper. With respect to the suggestion of the hon. Member for Limerick, he admitted that the state of the Irish gaols was such as to render the application of a remedy desirable; but he was in hopes it might be possible, with the help of the reports of the inspectors, to apply a remedy without any reference to a Committee. He thought that if they added Ireland and Scotland to the terms of the Motion, the Committee would be so overwhelmed that it would be hopeless to look for a report from them during the present Session. The best way would be to limit the inquiry, in the first instance at all events, to England and Wales; and if the Committee got through its labours at any early period, he would then not object to extend the inquiry to Ireland. It might be desirable in that case, however, to alter the composition of the Committee a little.

Lord NAAS thought that an inquiry into the state of the gaols in Ireland was absolutely necessary, and it might be right to add the names of certain Members who might aid in such inquiry. The average number of prisoners had increased enormously since 1847. He had no other course but to move that the word "Ireland" be added.

Amendment proposed, at the end of the Question to add the words "and Ireland."

Colonel DUNNE seconded the Motion.

Mr. ROBERT PALMER said, he could have no objection to the inquiry being made into Reading gaol, as to the possibility of effecting any improvement in that prison, and he believed that such inquiry would be satisfactory to his brother magistrates; at the same time, he did not pledge himself, on their part or his own, as to any specific plan, but he thought that some amendment might be made in the system at Reading. He was glad that the subject was to be taken into consideration by a Committee of that House. He perfectly agreed with the right hon. Baronet the Home Secretary, that if they were to have inquiry into the gaols of Ireland as well as Scotland, the labours of the Committee would be so onerous that they would not achieve their object.

SIR D. NORREYS hoped the inquiry would be extended to Ireland. It was ascertained that the poor in Ireland preferred the gaols to the poorhouses, such was the system of discipline.

MR. HENLEY thought the object of the Committee was to ascertain the best mode of prison discipline; and he did not see why, if there was a better gaol in Ireland or Scotland, the Committee should not inquire into this, as well as the best gaols in England. By the terms of reference, the Committee would not be empowered to take into consideration any case but such as might arise in England alone.

MR. H. A. HERBERT said, he had been over Reading gaol, where the separate system prevailed, and he had been over the only gaol in Ireland where the same system obtained; and he must say that the discipline of Belfast gaol was superior to that of Reading gaol. There was, for instance, a system of hard labour combined with a separate system.

MR. M. O'CONNELL hoped that the right hon. Baronet would do justice to Ireland. He hoped the inquiry would be extended to the gaols of Ireland.

MR. PEARSON hoped the House would not deprive the Committee of the advantage of knowing what great improvements the system of prison discipline had attained in Ireland, and if the noble Lord who had moved the Amendment called for a division, he would give him his support.

SIR G. GREY was anxious that the Committee should not be encumbered in their inquiries. If it were the sense of the House, however, that one Committee should inquire into the state of gaols throughout the united kingdom, he could have no objection. He should be happy to be a member of that Committee, and to give his best attention to the subject.

LORD C. HAMILTON feared that by too widely extending the operations of the Committee, they would mar the efficiency of its inquiries. He thought, therefore, that it would be better to reserve the inquiry as to Ireland until another opportunity.

Question proposed, "That those words be there added."

Amendment, by leave, withdrawn.

Another Amendment proposed, to leave out the words "England and Wales," and to add the words "the United Kingdom," instead thereof.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 23; Noes 18: Majority 5.

Amendment made, at the end of the Question, by adding the words "and into any improvement which can be made therein."

Question, as amended, put, and agreed to.

"*Ordered*—That a Select Committee be appointed to inquire into the rules and discipline established with regard to the treatment of Prisoners in Gaols and Houses of Correction in England and Wales, and into any improvement which can be made therein."

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, February 12, 1850.

MINUTES.] *Took the Oaths.*—The Bishop of Down and Connor, and Dromore.

PUBLIC BILLS. 1° Acts of Parliament Abbreviation.
2° County Cess (Ireland).

ACTS OF PARLIAMENT ABBREVIATION.

LORD BROUGHAM, in presenting a Bill for abridging the wording of Acts of Parliament, observed that he had made frequent attempts in that House—he was going to say with more or less success, but it was hardly possible to do so with less success, unfortunately—to amend the only manufacture which had received no improvement for the last 150 years—that of Acts of Parliament. We went on from one generation to another without improvement, thereby causing the greatest evil to the subject, to the law, and to the courts of justice above all things. He had intended to introduce very large improvements in the law, but he would be contented to accept even the smallest possible improvement, which he had pleged himself to introduce in his letter to Sir J. Graham; and with that view he begged to lay before their Lordships a Bill for shortening the language used in framing Acts of Parliament. One clause now introduced into every Bill he proposed to supersede altogether, for it was a ludicrous one—"That this Act may be altered, amended, or repealed during the present Session of Parliament"—the ground on which it had been heretofore used being, that every Act was supposed to be part of one Act, all the Acts of a Session forming one statute. He proposed to enact that every Act should be alterable, repealable, or amendable during the Session. Another proposition was, that no necessity should exist of constantly repeating words "and further enacting;" but that each section of each Act should follow the word "that," which would be perfectly sufficient. Another very important improvement had been often suggested to him by special pleaders. At present you only cited a former Act by saying, "by virtue of an Act, entitled an Act to do so and so," &c., giving the title and the year of its passing. He meant to propose that in future you should be enabled to refer to any Act, merely stating the chapter and section, with the year of the king's reign. This, and one or two other points, might have been considered by the great Bentham as mock reforms, because they were of very small amount, but it did not therefore follow that they were of very small importance.

Bill read 1^a.

THE CAPE COLONY.

Lord STANLEY had to present to their Lordships two petitions from the Cape of Good Hope, one signed by 4,000 persons, the other from the district of Port Elizabeth, signed by 8,000. The petitioners entered at considerable length into the case of the convicts sent out from this country. It was not his intention to refer to the Order in Council, or the conduct of Government concerning it, inasmuch as he believed it had been withdrawn in deference to the unanimous feeling of the colonists. He would only express his regret that the order should have been issued before it was ascertained that the colonists were willing to receive the convicts, thereby placing the Government in a very inconvenient situation. He hoped that no attempt would be made to renew the order, and should wish to hear an assurance to that effect from the noble Earl opposite.

Earl GREY had no difficulty whatever in giving the noble Lord the assurance he required. He could not conceive that there could exist, under present circumstances, any intention of again passing an Order of Council on this subject. As the whole course of the Government was fully explained in the despatches laid on the table, which, he believed, had now been distributed, he should follow the noble Lord's example in abtaining from comments, adding only one observation with reference to the passing of the Order in Council, that it was not intended to act upon it, except in one special and particular case, until the sentiments of the inhabitants of the Cape of Good Hope had been ascertained. It would be seen by those despatchss, that Her Majesty's Government were placed in a situation of extreme embarrassment with respect to the disposal of certain convicts who were at Bermuda, having been sent there in consequence of offences committed during the unfortunate famine which had prevailed in Ireland. The objections to sending them to any other colony were extreme, and the course adopted was considered upon the whole the least objectionable of any. But, undoubtedly, it was never contemplated by Her Majesty's Government to establish, as a regular system, the practice of sending convicts to a colony not originally established as a convict colony, without the consent of the great body of the inhabitants.

Lord BROUGHAM must again enter his protest against the conduct of the inhabitants at the Cape of Good Hope. A most unjustifiable course, he felt bound to say, was pursued by them. It was neither more nor less than harsh and cruel to treat in this way persons who, though criminal, were suffering a most cruel punishment, having been already confined for three months on board ship.

Lord STANLEY certainly thought the colonists had gone far beyond what they were justified in doing, and did not mean to vindicate their conduct in all points.

The Earl of ELLENBOROUGH wished to draw attention to one circumstance connected with the lot of the persons whose transportation had produced such extreme excitement at the Cape. The captain of a ship engaged by contract to carry convicts to their destination was bound to have on board a quantity of provisions and water far exceeding the probable consumption of those on board. In this case it appeared that whilst the ship lay at the Cape, the water was expended, and only 400lbs. of beef remained, there being hardly any other provision on board. Had there been a gale off the Cape, the probability was that every one of these persons would have died of famine.

Earl GREY did not know that there was any reason to find fault with the manner in which the contract had been performed in this case. Very probably the small quantity of provisions on board was to be accounted for by the extraordinary long passage of the vessel, which, on many accounts, was most unfortunate. The ship left Bermuda on the 22nd April, and arrived at the Cape of Good Hope on the 19th September, a period very considerably longer than the average passage from this country to New South Wales.

Petitions to lie on the table.

House adjourned to Thursday.

HOUSE OF COMMONS,

Tuesday, February 12, 1850.

MINUTES.] PUBLIC BILL.—1° Process and Practice (Ireland).

TRANSPORTATION.

SIR R. H. INGLIS wished to ask his hon. Friend the Under Secretary of State for the Colonies a question, in opposition to a statement recently made in the House. Is it, or is it not, the case, that such was the excellent character with which a convict ship lately approached the coast of Australia, that, even before the convicts were landed, almost all were engaged in the employ of respectable settlers, who came on board for the purpose; and this, in the case of convicts, when two, if not more, emigrant ships were already alongside? He referred to the convicts on board the *Hasheemy*, under the care of that distinguished officer Dr. Browning, whom, though he did not know him, he delighted to name; who had already made seven voyages as surgeon superintendent of convicts to the Australian colonies, and whose Christian course of instruction and of discipline had been blessed in former instances as in this, so that he had been enabled to land large numbers of men, rendered useful, instead of noxious, to society, by God's blessing on his labours.

MR. HAWES said, that the accounts which had been received stated that one of these convict vessels arrived in Moreton Bay at the same time with (he believed) two or three emigrant ships, and that the convicts were all engaged at good wages before any of the free emigrants. Since then we had had accounts of another ship-load of convicts arriving, and they had all been engaged also, and their conduct, so far as he knew, had been satisfactory.

THE FACTORY ACT.

LORD ASHLEY begged to call the attention of the right hon. Gentleman the Secretary of State for the Home Department to the recent decision in the Court of Exchequer upon the meaning and power of the Factory Act, and to ask whether it was the intention of Her Majesty's Government to introduce a measure declaratory of the meaning and intentions of the Legislature in passing the Act, or to take any other steps to obviate the very evil consequences of that decision?

SIR G. GREY replied, that he had only received the transcript of the shorthand writer's notes of the decision in the Court of Exchequer just as he was entering the House that evening; and he, therefore, had had no opportunity as yet of becoming fully informed as to the grounds upon which the decision was founded. He was anxious last year to introduce an Act to reconcile the differences existing between the various clauses of the Factory Act; but he found that the persons who held extreme opinions on both sides were averse to any such interposition, and that they were anxious to have the decision of a superior court of law upon the interpretation that should be put upon the Act. That decision had at length been obtained; but, as he had already stated, he had not as yet had time to see upon what grounds it rested.

THE AUSTRALIAN COLONIES.

SIR W. MOLESWORTH said, that he had given notice of a Motion on the present condition of our colonies, the immediate necessity for a reform of our colonial system, and that the colonies should have the power of self-government. But on Friday night last the noble Lord at the head of the Government had wisely taken the subject into his own hands, and as a debate of considerable length had ensued, during which he (Sir W. Molesworth) had had an opportunity of stating his opinions upon the subject, he did not think he should be acting properly in taking up the time of the House with the Motion which he had upon the Paper for that night. He, therefore, would not submit to the House the resolution which he had intended. At the same time, he might be permitted to say, that although nothing could be, in his opinion, sounder or more liberal in its general principles than the plan of the noble Lord, yet he was sorry that the noble Lord did not go to the extent which he thought desirable and necessary for the competent conduct of the colonies. He was sorry that the noble Lord only intended to revive the Bill of last year with regard to Australia; but still he would not offer any objection to the second reading of the Bill, as it recognised the principle of representative institutions in Australia, and he thought any form of representative institutions was better than none at all. He would, however, try to obtain two elective chambers and an elective government for them. The power which the Colonial Office at present possessed was a great grievance to the colonists; and he objected to such a measure as would keep up for the Colonial Office an arbitrary power of interfering in the internal management of colonial affairs. He should propose to denude the Colonial Office of the power, and he would try to draw a distinction between an inferior and a local parliament. He should likewise object to the details of the measure, because it did not include New Zealand, which was as ready for a constitution as any of the Australian colonies. However, he would not then detain the House by stating at any further length his objections to the details of the noble Lord's measure. He would withdraw the Motion he had given notice of, and move—

> "For Copies or Extracts of any Correspondence between the Colonial Office and any of the Authorities in Australia, Van Diemen's Land, or New Zealand, relating to the removal of Mr. Sidney Stephen from the Bar of Van Diemen's Land, and his appointment as a Judge of the Supreme Court of New Zealand."

Motion agreed to.

JURY LISTS (IRELAND)—
CALLANAN *v.* CAMERON.

MR. SADLEIR, in rising to move for a Select Committee to inquire into the facts connected with the striking of the special jury in the case of "Callanan against Cameron," reminded the House of the circumstances which took place at the State trials in 1844, not very unlike those to which he had now to ask the attention of the House. A meeting was held in Ireland on the occasion of those trials in 1844 to protest against the exclusion of Catholics from the jury; and, among the names of the parties on whose requisition the meeting was called, were those of the present Attorney General for Ireland, Sir T. Wyse, Sir T. Redington, and the Master of the Mint; and the present First Minister felt it to be his duty at that time to bring the circumstances before Parliament. He (Mr. Sadleir) did not wish, on the present occasion, to attack the Government or individuals, but to expose a vicious system—a system which every man who had a stake in the country was interested in putting an end to; and he would maintain, that while religious sectarianism was allowed to defile the jury-box, it could not be supposed that the Irish people would cease to have those prejudices which, he admited, his Catholic fellow-countrymen entertained, as regarded the spirit and principles of Protestantism. They had no just idea of the true and liberal principles of Protestantism; they considered it as Orangeism—as something intolerant—as bigotry under another name. The facts of the case to which he wished to call public attention were these:—In 1848, during the disturbances in the south of Ireland, Major Cameron, of the 3rd Buffs, felt it to be his duty to take possession of some houses in Carrick-on-Suir, the property of Mr. Callanan, a respectable Catholic trader of that town. Mr. Callanan commenced an action against Major Cameron for so taking possession of his houses, ejecting the inmates, casting the furniture into the streets, and occupying the place with his soldiers. Mr. Kemmis, the Crown Solicitor, acting for the defendant, obtained an order for a special jury, and when the solicitors for the plaintiff and for the defendant came to strike off, as was their right, 12 names each from the list of 48 which had been obtained by ballot, Mr. Kemmis struck off 9 of the 10 Roman Catholics on the list, and the 10th probably escaped the insult merely by the accident that he was supposed to be a Protestant. These nine names were not in consecutive order on the list, but were picked out by Mr. Kemmis from various parts of it; and when he had struck them off, he had the indelicacy to say that it was a matter of indifference to him which were the three remaining names that he objected to. Now, he (Mr. Sadleir) was personally acquainted with those nine Roman Catholic gentlemen, and could bear testimony to their unblemished reputations and undeniable respectability. As for their social position, some of them were county magistrates and deputy-lieutenants; some men of large property and moderate political opinions—men who had served on grand juries for years—men who had never taken part in any political movement or discussion—men deservedly respected for their exemplary conduct as grand jurors, as magistrates, and as private gentlemen. Among them was Mr. Bianconi, whose character was well known in that House, and who had gained universal praise from all classes of men for his probity and worth. English Gentlemen were utter strangers to such a system, and hesitated, naturally enough, to believe it existed in Ireland; but the facts were too notorious to be denied. A committee of Protestant and Catholic gentlemen had drawn up a report on the system which had prevailed in striking juries in Tipperary, from which it appeared that in 1839, out of a panel of 300, 118 were Roman Catholics, of whom 16 were among the first 50, and 38 among the first 100; while in 1843 the panel was reduced to 201, and the Roman Catholics to 37, of whom 4 only were among the first 50, and 9 among the first 100. He did not state these facts to excite religious dissension, but to extract from Government a substantial, intelligible, and conclusive explanation that would satisfy the Catholic people of Ireland that the representative of royalty had had nothing to do with an insult so wantonly and deliberately perpetrated against them, as well as their Protestant fellow-countrymen. He hoped the Government would make no vague or illusory declaration; and he implored them not to lead away the House from the main issue by raising some insignificant collateral question—to avoid all topics of irritation, and not to lose time in a vain endeavour to rake up any political pamphlet or postprandial speech of his in days gone by. He cautioned the Solicitor General against meeting the Motion in the spirit of a *nisi prius* lawyer. The Government ought to do justice to Lord Clarendon, to the law-officers of the Crown, and to those to whom the destinies of a great nation were practically delegated. An acknowledged organ of the Irish Government had dealt in no measured terms with the present case, and had declared it a most monstrous transaction, and one that required explanation and investigation. It had even gone so far as to say it was a case in which the conduct of the Government official had been highly censurable, and the Irish public were for a time deluded into a hope that such an investigation would be made. On the other hand, it had been contended that Mr. Kemmis, the official in question, as Crown Solicitor, was bound to take the course best calculated to secure a verdict for his client, just as in an ordinary case; but he (Mr. Sadleir) denied such a rule was applicable in a case in which the Crown defended. It might be said, that according to the instructions issued from time to time by the late Sir Michael O'Loghlen, Mr. Justice Perrin, and Lord Chancellor Brady, a discretionary power was vested in the Crown Solicitor; but every one acquainted with the history of Mr. Kemmis must know that such a discretionary power in his hands would be exercised so as to operate as a practical insult to every Roman Catholic. He believed him to be a gentleman of great worth in private life, as well as a clever public officer; but he knew well the system in which Mr. Kemmis had been schooled—that he had been cradled in bigotry and intolerance, and that he was the son of Mr. Thomas Kemmis, who had been the official of one of the most rampant Orangemen that ever filled the position of first law officer of the Crown. He would beg to call the attention of the House to the evidence of Mr. Thomas, and that also of Mr. William Kemmis, with reference to the marks and numbers affixed to the names of certain gentlemen in the jury list which he held in his hand, certain of those gentlemen being described as proper loyal men. But what did those words mean? They meant that proper and loyal men were pliable men—men on whom the Government of the day might rely for support in the jury-box. So much for the way in which justice had been administered in 1812. A more recent illustration of the mode of its administration was to be found in the case which his hon. and learned Friend the Member for Athlone brought under the notice of the House in the course of last Session. He (Mr. Sadleir) had no intention of then occupying the time of the House by repeating the details which had already been laid before them; but he could not help noticing the grounds on which the Home Secretary met the case that had been brought forward by his hon. and learned Friend. The right hon. Baronet defended the proceedings then impugned by pleading the defects of the law; but there was no ground for that allegation, the law being, if fairly administered, quite sufficient for all the purposes which the case brought forward by his hon. and learned Friend demanded. Sir Colman O'Loghlen, Lord Chancellor Brady, and Mr. Justice Perrin, very clearly laid down the existing state of the law, and, from their explanations, nothing could be more evident than that the law was abundantly sufficient to secure equal and indifferent justice. It had been said, that in those cases the Roman Catholic gentlemen had been set aside in a spirit of kindness, lest they should be exposed to injury on account of the manner in which they might discharge their duties as jurors. That assertion was a gross calumny upon the Irish nation. He next begged to refer to what the noble Lord at the head of the Government had said with respect to the case which his hon. and learned Friend the Member for Athlone had brought forward in that House; and he hoped that the noble Lord would avail himself of the present or some other opportunity to explain his sentiments on the subject. In substance the noble Lord on that occasion said that Roman Catholics and Protestants, Repealers and Anti-Repealers, should alike be considered as fitting persons to serve on juries; but when men were found who aimed at a separation of Ireland from England, who were advocates for deposing the Queen—such men, the noble Lord said, were not fitting jurors upon State trials involving that very question of separation between England and Ireland: such an issue they could not be expected fairly to try; and, if the Attorney General had any reason to think there were men of that class upon the panel, and that they would not give a fair verdict, he had a right to remove them from the list. Those were the opinions expressed by the noble Lord, and to such sentiments every well-minded Irishman must assent. Nevertheless, something like insinuation was conveyed by the speech of the noble Lord, and it was an insinuation calculated to wound and irritate the Roman Catholic gentlemen of Ireland, seeming, he thought, to imply that there were those upon the list who sympathised with rebellion. He repeated his hope that the noble Lord would explain this speech—that he would explain what he meant, when he said that he believed that to be the case with those gentlemen whose names had been removed from the list to which the hon. and learned Member for Athlone had referred. He could not help now observing, that great professions were made of a desire to put an end to religious differences: he would, therefore ask the Government to devise measures for preventing a recurrence of such cases. Their Sovereign, when She went to Ireland, plainly intimated in a hundred touching and graceful forms, that She knew no religious distinctions. An acute observer of the Irish character, Sir John Davies, said that no people loved impartial justice more than the Irish; and it ought to be the study of the Government, by an equal and impartial administration of the law, to strengthen in the hearts of the Irish people that inherent love of justice for which the Irish nation has been at all times remarkable. The Government should labour to abolish in Ireland those religious distinctions which tended to perpetuate social dissensions, retarding not only the solid recovery of Ireland, but likewise the permanent prosperity and union of the two countries.

Motion made, and Question proposed—

"That a Select Committee be appointed to inquire into the facts connected with the striking of the Special Jury in the case of Callanan against Cameron."

Mr. SCULLY seconded the Motion.

Mr. HATCHELL was quite prepared to admit that the hon. Member for Carlow, in bringing forward his Motion, was actuated solely by the desire to conciliate the people of Ireland, and reconcile those differences which had so long prevailed in that country. He lamented that anything should have occurred to lead to the suspicion that the striking and empannelling of juries in Ireland had been conducted unfairly. But the fact was that the case of Callanan and Cameron still remained untried, and he thought the House would agree with him in saying that it would not conduce to the strict administration of justice in that case at this moment to cast reflections upon the manner in which the jury had been appointed. The jury had been struck according to the forms of law, and they would necessarily feel embarrassed by an impeachment of the propriety of their selection. If the hon. Member's Motion were agreed to, a Committee of this House would be sitting and the trial itself be going on at one and the same time. It should be remembered that the case adverted to was not a question between the Crown and the subject in a criminal proceeding, but an ordinary case between subject and subject. It was quite a mistake to say that the striking of any gentleman off a special jury was casting any personal disrespect on him. It was not like the ordinary case of a juror being put by in open court when about to be sworn, but the attorneys of the respective parties having attended before the officer at his chamber in Dublin, each of them is bound to strike off twelve from the list of forty-eight: he is bound to make a selection, and he merely says, "I shall strike off this person that I like the least of the two, otherwise I shall have to strike off another that I would like better." That was the whole case; and if ever there was a special jury competent to try a case, it was the jury impanelled to try this trumpery case about taking possession of two old houses in Carrick-on-Suir. It would have a very bad tendency to grant a Committee of Inquiry in this instance, because, if they did so, they must expect to have every man having an objection to a jury coming forward with a similar complaint, and demanding an inquiry in that House. Mr. Kemmis, the Crown Solicitor, was a gentleman holding an honourable position in his profession in the city of Dublin; and it was extremely hard that that imputation should be made against a person who had no opportunity of defending himself. But the spirit which the hon. Member for Carlow had shown might best be seen from his unnecessary reference to the transactions of 1812, and his thereby seeking to arraign the son for the conduct of the deceased father. As to bringing any charge against the Government respecting this transaction, the Government had nothing to do with it: it merely ordered the Crown Solicitor to defend Major Cameron, leaving the management of the case entirely to him, like any other private action between party and party. He would endeavour to satisfy the House that there had not been the slightest intention to cast any slur on the character, or offer any insult to the religion, of the gentlemen struck off the jury. The Lord Lieutenant directed the Attorney General for Ireland to obtain from Mr. Kemmis an explanation of how the matter occurred; Mr. Kemmis wrote a letter in reply on the 24th of August last, which he would read to the House. The hon. and learned Gentleman then read Mr. Kemmis's letter to the Attorney General of Ireland as follows:—

"Sir—In compliance with your directions, that I should acquaint you, for the information of his Excellency the Lord Lieutenant, with the grounds on which I reduced the jury list in the case of Callanan against Cameron, and whether I had struck off any juror on that occasion because of his religious persuasion;

"I have the honor to state, for the information of his Excellency, that the case is a civil action brought by Mr. Patrick Callanan, a shopkeeper and boatowner, in Carrick-on-Suir, against Major Cameron of the 3rd Buffs, for an alleged forcible occupation of two houses in that town by him and the military under his command, on the 26th of June, 1848, and few following days, at a time when that part of the county of Tipperary was on the verge of rebellion.

"In defending the action, counsel advised that the trial should not be had by an ordinary, but by a special, jury of the South Riding of the county of Tipperary, and I obtained the necessary order for the purpose.

"In the case of a special jury it is necessary, as you are aware, for the solicitors for each party to reduce the list of forty-eight names by twelve each, and I took off twelve names so as to leave those on who, from my own experience and knowledge, I believed best calculated to find a fair and impartial verdict.

"Of the twelve gentlemen whose names I took off the list, I did not strike off any one of them on account of his religion, nor did it enter into my mind that several of them professed the Roman Catholic religion until I was informed that the matter had been mentioned in the House of Commons. The jury was struck in Dublin, and to convenience the attorney for the plaintiff the forty-eight names balloted for were reduced the day after they were drawn, so that I had no time to make any particular inquiry; but as the names drawn were generally of a very respectable class, I was well satisfied to leave on those whom I happened to have a knowledge of, and knew to be well qualified fairly to try the case.

"In the performance of this duty, I exercised my best judgment and ability for the interest of my client, in the same way as I am confident any respectable solicitor would have done. This was a civil case between party and party, and there are no official directions whatsoever to guide the Crown Solicitor relative to this duty. The law requires that twelve names shall be struck off, even without reasons; and that where special reasons have guided the Crown Solicitor to any particular juror, it has not been usual publicly to state the reasons which influenced him in the discharge of his duty, though I can and do conscientiously state that it was done by me entirely irrespective of religious distinctions, and solely for the benefit of my client, as I was bound as a professional man to do."

He (Mr. Hatchell) therefore thought, after reading such a document, that the House would agree with him that where they had a solemn repudiation of the charge of sectarianism from a gentleman of Mr. Kemmis's high standing and respectability, they were bound to take it that what he asserted was true, and not rest upon any surmise or conjecture. The hon. Member for Carlow had made a very ungenerous insinuation against Mr. Kemmis; for when he found that one of the names left—namely, that of Mr. James Archer Butler—was that of a Roman Catholic, and of the first respectability in the county, he said that Mr. Kemmis must have made this single exception to his rule of choosing Protestants only through ignorance or mistake. That, he thought, was carrying his hostility to

Mr. Kemmis to a very unfair length. He must protest against the Motion for a Committee in respect of a case like this, which yet remained untried; and he called on the House to negative the Motion.

Mr. SADLEIR explained that he had studiously abstained from adverting in any manner to the merits of this case; and as to his observations regarding Mr. Kemmis, he appealed to the House whether he had not gone out of his way to acknowledge Mr. Kemmis to be a perfect gentleman, and of great amiablity of character in his private capacity.

MR. SCULLY considered the speech of the hon. and learned Gentleman the Solicitor General for Ireland no answer to the arguments of the hon. Member for Carlow. The hon. and learned Gentleman rested his argument merely on this—that this was merely the ordinary case of a civil action; but the real question was, whether the practice of selecting none but those who were called "pure and loyal men," professing only one religion, was to be continued or not. He could state, from personal knowledge, that that practice had prevailed in the county which he had the honour to represent (Tipperary); and although he admitted that it offered no insult to particular individuals, it was still a wrong to the Catholic religion, and as the representative of a Catholic county, he felt bound to protest against the system. At the trial of Mr. Smith O'Brien, at Clonmel, in September, 1848, among the first one hundred names called, there were found only five Catholics; but at the spring assizes for the same year, when there were no political charges, out of the first seventy-five names called, twenty-three were Catholics. The only remedy for the evil was to give strict instructions to the Crown solicitor to state in open court fairly and manfully his objections to any juror, and see if the objections were sound or not; and if an Act of Parliament was necessary for the purpose, one should be passed. The present partial system weakened the respect for the law in Ireland, where a man, even although he might have been fairly convicted of murder, was looked upon as a martyr, if he had been tried by a sectarian jury; and until a total change in the jury system was introduced into Ireland, discontent and social disorganisation must be expected to continue.

MR. NAPIER said, the precise question before the House was this—a special jury was applied for in a civil action. The panel in the Crown Court and the special jurors' book were constructed on an entirely different footing. The names of all the gentlemen competent to act were placed on the special jurors' book in alphabetical order. The sheriff attended the striking of the jury, which was done in this manner: certain numbers were put into a box, and on being drawn out, a reference was made to the book to ascertain the names, and forty-eight names were thus selected by ballot out of the whole special jurors' list to serve on every cause tried by a special jury. Then what did the law allow? He agreed in the observation, that Ireland ought to have the benefit of English institutions. The same law was applicable to both countries. Out of the forty-eight names so selected, the law allowed each party the legal right to object to twelve, without being answerable to any tribunal; and it was the duty of the attorney to strike away the twelve which he considered the most objectionable, and leave the rest. If there had been any fraud, the court ought to have been appealed to on affidavit; and he decidedly objected to the system of pretermitting the opportunity of going before the judges, and involving the House of Commons in a religious discussion, when the facts were not fully before it. He thought Mr. Kemmis had exercised an honest discretion, and on every ground he should think it his duty to vote with his hon. and learned Friend the Solicitor General for Ireland.

MR. W. FAGAN admitted that it would be difficult to contradict Mr. Kemmis's denial in his letter of having been influenced by any religious bias; but he considered that the charge of partiality was justified, when they remembered that in a list of forty-eight gentlemen for the county of Tipperary, out of ten Catholic names upon it, nine were struck off, and that some of the nine happened to be some of the most influential and leading men in the county. He had great respect for those at present intrusted with the administration of affairs in Ireland; but he must say that the system of jury packing had prevailed in that country during the last two years; and the present case arising out of recent political events, Mr. Kemmis, who was known to have strong feelings against the Catholics, was believed to have been influenced in this instance by his religious prejudices. The hon. and learned Gentleman the Solicitor General for Ireland had found fault with his (Mr. Fagan's) Friend the Member for Carlow for bringing forward this question pending the cause; but it was not brought to trial because the plaintiff had no confidence in the jury—not because the jury were not respectable, for he (Mr. Fagan) believed they were—but because he was under the conviction that justice would not be done in consequence of the mode in which the jury had been struck. He (Mr. Fagan) hoped, however, that such conviction would be removed from the plaintiff's mind by the discussion of that evening. He admitted that the statement of Mr. Kemmis had in a great degree removed from his mind the impression that he was actuated by any sectarian feeling; but when there were only nineteen Catholics altogether on the sheriff's special list in Tipperary, it must be admitted that list was not fairly made out, for certainly there were more than nineteen Catholics in the county of Tipperary who were entitled to be put on the special jury list.

The ATTORNEY GENERAL said, he must join with his hon. and learned Colleague the Solicitor General for Ireland in requesting the hon. Member for Carlow not to press this question to a division. He protested against the House at all entertaining a question of this description except there was a direct charge of corruption brought against the public officer. It was not to be contended that that House should sit as a court of appeal upon his acts on the ground merely that he exercised his discretion on the part of his client, for he could not fairly exercise that discretion if his acts were to be made the subject of inquiry in that House or elsewhere. They would fetter his discretion, which should be left totally unfettered, for otherwise he could not act fairly and justly towards his clients. He had assisted in the trial of many political offenders, and had often given instructions to strike the names of gentlemen off the list of jurors; but there never had been the slightest discussion in that House as to the undoubted right of those who acted for him to strike the names of twelve persons from the list. He wished the same mode of law to be applied to the two countries. If there was to be a Select Committee, let it not be to investigate a particular case; but let it be an inquiry bearing on some general measure applicable to the two countries, and if the system was defective, then have one general measure for the reform of the law in both countries. At a period when English proprietors were about to embark their property in Ireland, it seemed to him that, in entertaining this question, they were taking a course that was highly calculated to shake their confidence. They did not hear of such complaints being made in England, and nothing could so shake the confidence of those men who might become the purchasers of land in Ireland as to suppose that in the case of a trial before a jury, on the mere assertion of parties, the matter might be brought before the House of Commons. He implored of the House, whenever there was a matter exciting public interest in the country, and when the minds of jurors should be calm, not to further excite the minds of parties in the neighbourhood by provoking discussion in that House. Let them not do it now at the very moment when this case might be about to be brought forward before the tribunal that was to try it. He did not draw any distinction between public and private cases, but objected that the House, except in cases where there was a charge of corruption, should discuss such questions at all. He trusted the hon. Member for Carlow would be satisfied with the disavowal of Mr. Kemmis, and that the discussion would be allowed to terminate.

Mr. HUME thought it was unwise, impolitic, and improper to bring forward any judicial question in that House except on specific grounds. The hon. and learned Gentleman the Attorney General asked who complained of such a thing being done in England; and his (Mr. Hume's) answer was, no one; because in England the juries were justly struck; but there was no comparison to be made in that respect between England and Ireland. Why had Sir Colman O'Loghlen made a regulation that no man should be challenged as a juror on account of being a Roman Catholic, but because the fact of a man being a Roman Catholic, was formerly deemed a sufficient ground for striking him off the panel? Wherever such acts were committed, or where there was even a suspicion of such acts having been committed, the Government should not wait until they were goaded on by individuals, but should voluntarily do their best to remove all grounds of complaint. The fact of the Orange party being allowed to trample under foot the Roman Catholics, had been the cause of great discontent, and he trusted he would see the time when that system would be put an end to—when Protestant and Catholic would alike enjoy the civil rights they were entitled to, and when all suspicion of injustice would be removed. With regard to the present question, the matter being under judgment was a sufficient reason for not pressing the inquiry.

MR. SADLEIR felt he ought not to take a division on the subject that night, not precisely on account of the reply which he had received from the Government, but from the thin state of the House. The Solicitor General for Ireland had abandoned the broad constitutional ground on which he (Mr. Sadleir) had put the question, and had endeavoured to lead the House away upon collateral and technical issues, and had said that the Irish people never should have heard of what went on in the office of the gentleman whose duty it was to preside over the jury ballot. Now, the hon. and learned Gentleman was a man of mature experience, he had grown gray in years, and was familiar with the prejudices and feelings of his countrymen; and yet he had endeavoured to mislead English Gentlemen, and to delude them into the erroneous notion that in an action in which a private individual Roman Catholic was plaintiff, and the Crown was substantially the defendant, the mode of procedure adopted by the Crown officer in striking the jury could be cushioned in Ireland. Knowing, as the people of Ireland did, that the practical working of the system enabled the Crown to exclude Roman Catholics from the jury box, every Irishman looked with anxiety to the conduct of the Crown Solicitor in such a case as that of "Callanan against Cameron." Secrecy in Ireland in such a case was an utter impossibility. He (Mr. Sadleir) disclaimed casting any imputation on the conduct of Mr. Kemmis as a private gentleman, or saying that there had been any legal defect in these proceedings; but, as the law stood, a discretionary power was vested in the Crown Solicitor, and the charge he made against Mr. Kemmis was that he had not exercised that discretionary power wisely, fairly, or justly. He (Mr. Sadleir) felt he had a right to complain that he had never received a copy of Mr. Kemmis's letter, although the subject was brought by him before the House last Session, and had since been much discussed in Ireland. Mr. Kemmis had represented that he was not aware of the religious opinions of the nine gentlemen whose names had been struck out of the jury list, and that he had not taken off those names because they were Roman Catholics. He (Mr. Sadleir) supposed he must give his credence to that gentleman, and must believe those two statements; but he must tell the House that neither one statement nor the other would be believed in Ireland. Mr. Kemmis was between 70 and 80 years of age, and had been 50 years attending the assize—many of those years at Clonmel, where some of those nine gentlemen acted as grand jurors; and to tell the House that the Crown Solicitor was not aware that Mr. Scully, the Messrs. Doherty, and the Messrs. Power, were Roman Catholic gentlemen in the county of Tipperary, was what would not be believed in that county, or in the whole province of Munster. Then, as to Mr. Kemmis not having struck off the nine gentlemen because they were Roman Catholics, the House would bear in mind the statement which he had already made, and which had not been contradicted, that Mr. Kemmis went up and down the list, and one after the other took from it the names of those nine gentlemen, and having done so, he proceeded to take off three Protestant gentlemen. To say that this was all done by accident, was a statement which would not be believed in Ireland. He would not divide the House, but would ask leave to withdraw his Motion.

MR. KER begged to make an observation with respect to what had fallen from the hon. Gentleman the Member for Montrose, in reference to the Orange party in Ireland. He begged to enter his protest against that party being supposed to have any association with, or to be affected by the acts of the Solicitor General of a Whig Government in Ireland. It was possible that the Orange party themselves might hereafter be found complaining, and for the same reason that the Roman Catholics complained on the present occasion.

Motion negatived.

PROCESS AND PRACTICE (IRELAND) BILL.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a Second Time."

MR. NAPIER made an appeal to his hon. and learned Friend the Solicitor General, on behalf of some of the officers of the Irish Court, who had been appointed to their offices during good behaviour, which was considered equivalent to a freehold; but who, under the 37th Clause of this Act, were to receive compensation at the mere discretion of the Commissioners of the

Treasury. This clause had created the greatest alarm in Ireland, and he hoped that his hon. and learned Friend would consent to alter it in Committee.

The SOLICITOR GENERAL was disposed to admit that there was a great deal of force in what his hon. and learned Friend had urged, and he had no doubt that the Treasury would accede to the claims of these Gentlemen. He could not, however, give any promise on a subject which it was not within his province to determine. He should propose to commit the Bill *pro formâ*, and introduce several alterations, before it underwent a discussion in Committee, and he would, therefore, fix the Committee for the 25th inst., upon the understanding that a later period should be taken for the *bonâ fide* committal of the Bill.

Bill read 2°, and committed for Monday, 25th February.

COURT OF CHANCERY (IRELAND) BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

Mr. TURNER said, that he was as anxious to avoid the delays and expense incurred in the Court of Chancery in Ireland, and he would add, of the Court of Chancery in England, as his hon. and learned Friend the Solicitor General; and he hoped, either immediately before Easter or immediately afterwards, to introduce a remedy for the delay and expense occasioned by the proceedings in the Court of Chancery in England. Having made that statement, he would mention also that the remedy which he desired to see applied was a sound, safe, and practical remedy. But on looking into this Bill, he must say that it appeared to him, as well as he could form a judgment upon it from the time which he had been able to bestow upon its consideration, that the remedies which it contained were calculated to do more mischief in the Court of Chancery, to create more delay, and occasion more expense, than under the present system. He spoke on that subject without the slightest prejudice, for he could assure the House that the very scheme of the proceeding by petition on which this Bill was founded. was the original scheme which he himself entertained for a reform of the Court of Chancery in England, and to which he had given the most anxious attention. His hon. and learned Friend proposed to base the whole jurisdiction of the Court of Chancery in Ireland on proceedings by petition and affidavit. Now, what was the difference between his hon. and learned Friend's proposition and the course which was now pursued? Did the present proceeding by bill differ from the proceeding by petition, which his hon. and learned Friend proposed to substitute for it? Taking into account the fact that the Bill proposed to give the petitioners power to annex interrogatories to their petition, it seemed to him that it was merely giving another name to a similar course of proceeding, with this additional inconvenience, that whereas, in the proceedings by bill, the signature of counsel was a guarantee for the statements which it embodied, a petition might contain any allegation which a solicitor chose to insert, thus losing the security afforded by the attention and care of counsel to the introduction on the record of that only which was material to be stated for the consideration of the court. Again, by this proceeding by petition and affidavit, the advantage—not a very great one, but still not to be left out of sight—of cross-examining witnesses, was lost altogether, and the court would be called upon to adjudicate on claims to property of an enormous amount—50,000,000*l.* at least—by a petition verified by affidavit only. He did not mean to say that proceedings by petition ought not to be adopted in any case; but he would assert that in many cases such proceedings would lead to great loss, and that after all the expense of it had been incurred, recourse must be had to the third clause of the Bill, which empowered the Court of Chancery to direct a suit to be instituted. He would also beg the attention of the House to the fourth clause, which provided that if any party, at any stage of the proceedings, objected to the course of proceeding by petition, he might apply to the court to stop the proceedings, and direct a suit to be instituted in the ordinary way; whereupon the court was to make such order as should seem to be just. His hon. and learned Friend might take what measures he pleased to shorten the proceedings of the Court of Chancery, and he (Mr. Turner) would assent to them, provided the proceedings were really shortened; but the course pointed out by the Bill would certainly lead to greater delay than at present. The next branch of the Bill proposed a remedy which, if fully and properly carried out, he had the greatest anxiety to see brought into operation. One of the great evils of the Court of Chancery was, and always had been since the foundation of the court, that it would do no justice unless it could do complete justice; and the consequence was, that when a question arose on the construction of a deed or will, the Court of Chancery ordered that the whole accounts of an estate should be taken before it pronounced an opinion. Day by day cases came under his consideration as counsel, in which he could give no opinion till this process had been gone through. The result was, that the estate went into the Master's office, and hundreds of pounds were spent before he could determine whether the residue was vested or not. He alluded to that part of the Bill which empowered persons to present a petition for the opinion of the court upon a special case; but he must see that this clause was carried out with safety to the rights of married women and infants, as it was well known that all sorts of contrivances were resorted to to defeat the claims of such parties. The ninth clause provided that a party might file a petition, praying for the opinion of the court upon a special case, and that it should be lawful for the court to give judgment upon such petition, which judgment should bind all such persons as the court should direct, and in default of such direction, should bind all such persons as presented the petition. In the absence, then, of any direction by the court, the petitioners would be bound by the result of that petition, and nobody else. But then the clause went on to enact as follows:—

> "And when the opinion of the court is desired in any matter in which any infant, idiot, lunatic, married woman, or any person uncertain, unknown, or not to be found, is interested, it shall be lawful for the Master of the court in rotation to direct the presenting of such petition by way of special case, on behalf of the infant, idiot, lunatic, married woman, or such other person, and such direction of the Master shall be conclusive to all intents and purposes."

If, then, any hon. Member of that House happened to have a child abroad in Italy or in France, anybody might go to the Master of the Court of Chancery and present a petition in the shape of a special case, upon which the Master's direction would be conclusive; and when the infant returned to this country he might find all his property gone without the sanction or concurrence of anybody who had the least right to interfere in his concerns. Now, this was not the manner in which the House ought to legislate. Acts of Parliament ought to be more carefully prepared when they came before the House in the shape of Bills, than was the case with the present measure. On looking into the next branch of the Bill, he found it proposed that the court should have power, when any petition was presented with respect to the administration of the estate of a deceased person, the foreclosure and redemption of mortgages, the appointment of new trustees, and the allowance and maintenance to infants, and also with respect to such other branches of the jurisdiction of the court as the Lord Chancellor of Ireland, with the assistance of the Master of the Rolls, should by any general order from time to time direct, refer the petition to the Master, without notice to any other parties, either generally or with such special directions as to the court might seem fit. Let the House only conceive the state to which these provisions would reduce the Court of Chancery. He would take the case which constantly occurred, of eight, ten, or twenty parties going before the Master, all represented by one solicitor. The House would observe that, by the thirteenth clause of the Bill, the Master was empowered to give such relief as the case might require, and was to have the same jurisdiction as might have been exercised by the court in a suit. The court was thus enabled to escape from the responsibility of adjudication on matters referred by parties to its decision, and the powers of the court were given to the Master, who must be set in motion by the solicitor; and in every case when there were eight, or ten, or twenty parties before him, there might be as many propositions before the Master as to what he should do. Bad as the existing system was, it was twenty times better than that which the Bill proposed to establish. He wished his hon. and learned Friend the Solicitor General to understand that he made these observations with a full regard to the other duties which he had to discharge, and to the impossibility of his minutely considering the language and details of the Bill. But he pressed his objections with the greater force on account of an Act passed in the last Session, which the House found it necessary to pass another Act to suspend, and it was therefore, he said, that this Bill was quite a disgrace to legislation. The thirteenth clause, which was the one now in question, provided that the Master should exercise the powers which it conferred upon him, within the limits and subject to the restrictions and regulations therein provided. Now, he had searched through the Bill, and he had not been able to find what limits or restrictions or regulations there were by which the Master was to be guided. He would suggest to his hon. and learned Friend the propriety of either withdrawing this Bill, and bringing in another in a more efficient shape, or of referring it to a Select Committee, where it might be moulded into a form fit for the wants and exigencies, not only of the Court of Chancery in Ireland, but in England also. He could assure him that every notion that had crossed his (Mr. Turner's) mind on the subject of reform in the Court of Chancery, would be quite open to his hon. and learned Friend, if he desired it. His (Mr. Turner's) own Bill was in the course of preparation, and, as he had said already, he hoped to be able to lay it on the table of the House either immediately before or immediately after Easter.

The SOLICITOR GENERAL confessed that he was a little taken by surprise at the warmth exhibited by his hon. and learned Friend the Member for Coventry, but he was quite aware that this was only the beginning of a great deal of opposition which the Bill would have to encounter. He could not say, however, that the observations of his hon. and learned Friend had quite convinced him that the Bill was so defective as he represented. His hon. and learned Friend said that the proceedings by petition was objectionable, because it was nothing more than proceeding by bill. If so, it certainly would not be more objectionable than the present mode of proceeding. The objection that a petition had not the sanction of counsel's signature might be obviated, when the Bill got into Committee, by requiring counsel's signature to a petition. His hon. and learned Friend said that statements might be introduced into a petition which would not appear in a bill; but it should be borne in mind that the Court of Chancery had the power of striking out any portion of the proceedings which was not relevant to the matter in issue, and of making the parties pay for the improper introduction of that matter. Their jurisdiction extended as much over petitions as over proceedings by bill in this respect. And it should be recollected that the costs of the proceedings by bill were in proportion to its length, which was not the case in petition; and one of the greatest reforms in the Court of Chancery would be to make it the interest of the practitioner not to make the proceedings of great length. Another objection put forward by his hon. and learned Friend was, that there was no cross-examination of witnesses. That objection was open to a double answer. In the first place, the Bill provided that the parties who proceeded by petition might annex interrogatories to the petition, while the respondents also might file interrogatories, to be answered by the petitioners. The court also had power given by the Bill to direct evidence to be taken *vivâ voce*. But the system of the examination of witnesses in the Court of Chancery was so preposterous, that the late Mr. Bell stated, when examined before a Committee on the subject of reform of the Court of Chancery, that in the whole course of his experience he never had cross-examined a witness, unless he had examined in chief, or unless he could be cross-examined on the ground of interest. The reason for this caution was obvious to those who were acquainted with the practice of the court; the witness was cross-examined without its being known what he had deposed to in his examination in chief. The consequence was, as all practitioners of the Court of Chancery knew, that a cross-examination was very likely to prove an adversary's case. Another objection urged by his hon. and learned Friend was, that the 9th clause provided that the opinion of the court upon a special case bound the parties by whom the petition was presented, and also those parties who were under disabilities, if a petition was presented in their name. But in the latter class of cases the sanction of the court or of the master must be obtained before the question could be argued. Then counsel appeared, and argued on behalf of the party disabled, and whether that party was in England or in France was of no more importance than whether he was in the next street or at the sea-side. No special case would be sanctioned by the master if a mere stranger interposed. Some reliance must be placed on the judges of the court, and their knowledge of the principles and practice of equity. He did not pretend to say that the phraseology of this Bill was exact in every particular, and he should be only too happy to avail himself of the results of his hon. and learned Friend's knowledge and experience when he brought forward his Bill; but he must say that the present system of the Court of Chancery amounted to a denial of justice in a very great number of cases, since it had been stated by so high an authority as Mr. Pemberton Leigh, that no man recommended a recourse to the Court of Chancery unless the matter in dispute was of the value of 1,000*l*. That was a disgrace to the English system of procedure; and as it was essential to alter this cumbrous system, the Legislature could not well do otherwise than trust to the discretion of the judges to make such orders as they thought fit to issue for that purpose. His hon. and learned Friend objected to the clause by which certain classes of petitions might be referred summarily to the master, even without notice, and by which he was empowered to determine what the parties themselves wished to refer to the decision of the court. He admitted that the court ought to determine all those matters which should be decided before a reference to the master, and therefore the Bill gave a permissive and not a compulsory power. The clause specified four particular classes of cases. Now, let it be supposed that a man filed a long Bill stating a will, and other proceedings, under which he was interested. In the ordinary course of things there would be a Bill, an answer, an amended Bill, a second answer, a replication, and so on, till five or six counsel were retained to conduct the proceedings in court, and then one of them would get up and say, " My Lord, this is a common administration suit, and I ask for the usual decree." Now, he (the Solicitor General) would say, " Get the usual decree at once, and abolish proceedings which are of no use whatever, except to put money in the pocket of the practitioner." So, again, with respect to the foreclosure and redemption of mortgages; it was proposed that these matters of course should be referred to the master in the first instance. Very considerable steps had already been taken in that direction, as the working of the Joint Stock Companies Act evinced. The master took the accounts, which was the only matter in issue between the parties, who had, nevertheless, the power of appealing to the court from his decision. A power was also reserved to the court to substitute the old mode of proceeding, and to parties also to apply to the court for the same purpose, at the peril, it must be admitted, of costs. There might, perhaps, be objections to the wording of the Bill, but he felt that he was justified in calling on the House to support him in carrying it into Committee. He must now beg permission of the House to say one word on a matter personal to himself. The hon. and learned Member for Coventry alluded to what he was pleased to call disgraceful legislation as regarded a Bill which was brought in and passed last year, and with respect to which, towards the end of the Session, another Bill was introduced to suspend its operation until a late period in the present year. The Bill which passed last year through both Houses, would, he believed, be found highly beneficial, and he was not aware until a late period that objections were entertained to some of its provisions in certain quarters. He might have stopped the Bill at any of its stages, as was well known to the hon. and learned Member for Newark, but he preferred allowing it to pass, and bringing in a short Bill to suspend its operation for a certain period; he, therefore, did not think that the hon. and learned Gentleman was justified in using the expression " disgraceful legislation."

MR. TURNER, in explanation, said, that he did not allude to the Bill of last year, but to that of the present year. He did not intend, in the hasty expression he had used, to give any personal offence.

Notice taken, that forty Members were not present; House counted; and forty Members not being present,

The House was adjourned at a quarter before Ten o'clock.

HOUSE OF COMMONS,

Wednesday, February 13, 1850.

MINUTES.] PUBLIC BILLS—1° Parliamentary Voters, &c. (Ireland); Elections (Ireland); Highways.

GREAT NORTHERN RAILWAY, ETC. BILL.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

COL. THOMPSON said, the Act for the establishment of this railway had been obtained on the ground of its promising increased accommodation to the public, particularly the less opulent classes. And now this Bill was brought in, to repeal those obligations. He further called the attention of the House to the introduction of a clause confirming to the directors the power of opening parcels to see if the sender had inclosed two parcels instead of one. It would be just as reasonable to propose to enact, that every man should be obliged to make up his parcel to a hundredweight with stones and gravel, in order that the railway might charge for it. He moved that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. H. BERKELEY said, that having moved this Bill, in the absence of an hon. Friend, in his absence he should withdraw it.

Mr. GOULBURN did not think it right to throw out the whole Bill on account of one clause, and thought it had better be read a second time.

Col. THOMPSON would not press for a division now,

Question proposed, "That the word 'now' stand part of the Question."

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill read 2°, and committed, and referred to the Committee of Selection.

MR. ROEBUCK AND THE "MORNING CHRONICLE."

Mr. ROEBUCK said, he had to solicit the indulgence of the House in a personal matter. He did not like doing so where it was possible to avoid it, but in this instance he had no other means of setting himself right before the public, and it was besides a matter which referred to the memory of persons who were dear to him. In consequence of certain observations which he had thought it to be his duty to make in that House a few evenings since on the subject of the recent proceedings in Ceylon, he found in one of the public journals, the *Morning Chronicle* of this day, the following observations having reference to him. After commenting at some length on his speech, it proceeds to say:—

> "Let us test Mr. Roebuck himself by the measure which he wishes to mete out to our colonies —we beg his pardon—to our conquered dependencies. We believe he lost a relative, amongst the ranks of the Canadian sympathisers, during the antepenultimate troubles in Canada. And we believe—and to his credit we say it—that he left no stone unturned to avenge his death, which he considered to have been an unjust act."

And then there was afterwards a supposititious case put, how he would have acted in that case if his brother had been hanged, thus leaving the world to suppose, what the direct assertion previously made would naturally suggest, that he (Mr. Roebuck) having lost a relative during the disturbances in Canada, that relative, according to the writer's belief, had been hanged. All he could say in reference to that assertion was, that all his relatives in Canada entertained very different views from what he had advocated with regard to that colony —that none of them had been sympathisers in the cause of the French or insurgent party, but that they had, on the contrary, acted against that party—that he had lost no relative throughout these transactions, and could not, therefore, have been influenced by feelings of revenge in the course which he had taken—and that, in point of fact, he had not been actuated by any such motives. He had heard a variety of statements made and insinuations thrown out against him with regard to this subject, but with these he had nothing to do on this occasion. In offering the present explanation, he had been influenced by a feeling of respect for the memory of those whom he held dear, and he therefore trusted that he should be pardoned for giving this explanation to the House.

HIGHWAYS (DISTRICT SURVEYORS) BILL.

Order for Second Reading read.

Mr. FREWEN moved the second reading of this Bill. He said that no person had a stronger objection to placing power in the hands of an irresponsible body than he had, but he believed that by adopting the system of the baronial sessions which existed in Ireland, and on which the magistrates and the higher class of ratepayers were associated together for the management of the roads, that considerable improvement might be effected. What he proposed was to associate the commissioners of assessed taxes with the magistrates of each district for the management of the highways; and he believed that such a plan would be much more advisable than the course that had been recommended of placing the roads under the care of the board of guardians.

Motion made, and Question proposed, "That the Bill be now read, a Second Time."

Sir W. JOLLIFFE opposed the Bill, in which he said there were many clauses of an unusual character. A measure upon the subject of highways was about to be laid upon the table by the hon. Member for Herefordshire, and it would be the better course to allow the Government Bill to be seen before proceeding with the one proposed by the hon. Gentleman.

Mr. C. LEWIS asked the hon. Gentleman the Member for East Sussex to postpone his Bill until the one he was about to propose on the part of Her Majesty's Government should have been placed in the hands of Members.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Question proposed, "That the word 'now' stand part of the Question."

Amendment and Motion, by leave, withdrawn.

Bill to be read 2° on Wednesday the 6th of March.

COUNTY RATES AND EXPENDITURE BILL.

Order for Second Reading read.

Mr. M. GIBSON, after presenting some petitions in favour of the establishment of boards for the control of county expenditure, proceeded to say, that he should not think it necessary to trouble the House with many observations in moving the Second Reading of the County Rates and Expenditure Bill, because the House was tolerably familiar with the subject, the Bill being similar to the measure which was before it last Session, both in its principle and in all its leading details; and he was rather taking up a measure which could not be completed last year, than introducing a new Bill. He had taken charge of the measure at the request of the hon. Member for Montrose, who brought it forward last year, and who, in fact, originated this proposal of a system of county councils to control county expenditure, analogous to the system introduced in boroughs to enable town-councils to control the municipal penditure. It was desirable, however, to remove a few misapprehensions which had arisen respecting this Bill. There had been an idea that, as an hon. Member had expressed it, it was to supersede Her Majesty's justices of the peace. It was not a Bill to supersede them, but to give the ratepayers in counties a concurrent control with Her Majesty's justices of the peace over the county expenditure; and it was entirely remote from his (Mr. Gibson's) mind, in promoting this measure, that he was in any way disparaging Her Majesty's justices of the peace, or wishing to supersede them in any of their judicial duties. Already we had the precedent of elected guardians and justices of the peace working harmoniously together, and engaged in controlling local expenditure under the head of poor-rate. The Commission appointed in 1836 to inquire into the whole subject of county rates, saw no objection to the constitution of such boards as those now proposed, consisting partly of justices, and partly of ratepayers, to control the county expenditure. The report of that Commission stated—

> "The principle of the county rate seems open to serious objection upon the ground that the charge is imposed by persons not chosen by the ratepayers; no other tax of such magnitude is laid upon the subject except by his representatives. It is impossible not to admit that the persons who contribute to the county rate have little control over its expenditure. The administration of this fund is the exercise of an irresponsible power intrusted to a fluctuating body."

The Commissioners went on to hint at the adoption of a plan very similar to that now before the House. It was proposed by this Bill to establish county financial boards to control the assessing of county rates and the expenditure of county rates; that these boards should consist of ratepayers elected by the different boards of guardians, and justices of the peace elected by the justices; that to these boards should be transferred all the financial powers now vested in the justices of the peace; but the Bill would not interfere in any way with their judicial powers, or affect the administration of justice. An objection was started the other evening by the hon. Member for Buckinghamshire, who intimated that it was not fitting for Gentlemen holding opinions similar to his (Mr. Gibson's) to be asking that tenant-farmers and occupiers should have a control over this expenditure, having always contended that rates fell upon rent, and that therefore the occupier had no permanent interest in their control. He (Mr. Gibson) adhered to that view; but, although at every fresh bargain between a tenant and his landlord the amount of rates was taken into consideration in agreeing upon the rent, yet, when an agreement was once entered into, the tenant had a clear and obvious interest, in preventing during the currency of the term of his tenancy, an extravagant expenditure, or the rates being larger than he calculated on when he entered into the agreement. In Lancashire the county rate in one year rose from 125,000*l.* to 175,000*l.* That sudden increase must have been borne by the occupying tenants, who however had no opportunity of deciding whether the expenditure was judicious. But if there was a doubt as to the propriety of his (Mr. Gibson's) introducing this Bill, with his opinions, there could be none as to the propriety of the hon. Member's supporting it, for the whole of his policy seemed to be founded upon the conviction that these rates were paid, at first and at last, by the tenant-occupiers; how then could he object to giving them a power over the county expenditure? A petition from Buckinghamshire set forth the case so well that the House would perhaps allow a part of it to be cited to them. It came from the Aylesbury union. That union, it was stated, contained forty parishes, mostly agricultural; and the petitioners represented that they were principally occupiers of land, and in that capacity contributed very largely to the poor-rates, over which the Legislature had allowed the ratepayers a right of administration and control; but that the petitioners also contributed largely to the county rates, and, without wishing to impugn the propriety of their application, urged that the principle of supervision which Parliament had sanctioned in the case of poor-rates, should also be extended to the county rates; that 60,000*l.* had lately been charged upon the rates for the county on the erection of a new county gaol, and a large further expenditure was contemplated in the erection of a lunatic asylum. [Colonel SIBTHORP: Hear, hear!] The meaning of that cheer evidently was that Acts of Parliament and the Home Office imposed on the magistrates the obligation to erect these gaols and lunatic asylums, and that they were not responsible for that expenditure. So did Acts of Parliament impose upon guardians the obligation to relieve the destitute poor; but, nevertheless, the Legislature gave the ratepayers a control over the expenditure of the poor-rate, and a voice upon the question whether the applicants for relief were fit persons to receive it. Just so, because Acts of Parliament had imposed the obligation to erect gaols and lunatic asylums, it did not follow that those who had to pay for them might not have a voice in the making of contracts, and in the consideration whether more accommodation was provided and greater expenditure incurred than was necessary. In Yorkshire a sum of 200,000*l.* was expended, he believed, in prison-building for the reception of 160 prisoners. He had been informed that the requisite accommodation might have been provided for 35,000*l.* It would be a great public evil if lunatic asylums and prisons were not properly erected and regulated; but it was quite consistent with a due regard to this consideration that the ratepayers should have this control, and we might hope that they would be as much alive to the importance of having proper lunatic asylums and prisons as the justices. An hon. Member had suggested that the margin within which these financial boards could effect any reduction was so small that it was not worth while to alter a system with which persons had become familiarised. But he (Mr. Gibson) believed that a control in the way he had mentioned, might be exercised over all the expenditure, with the exception of that which was strictly necessary for the discharge of the judicial functions of the magistrates, and for that case there was a provision in the Bill. Besides, these financial boards would be bodies of men who could watch these new Bills and measures in Parliament which would lay fresh burdens upon the land; and when any such proposal came before Parliament we should have a competent business board to attend to the matter, and such measures would not be so liable to pass without due consideration. The county rate was no small sum, and its progressive increase could not be viewed without apprehension by gentlemen connected with the land. In 1835, when it was thought necessary to appoint a Commission upon it, the amount was 690,000*l.* in the year; it was now something like 1,300,000*l.* It had increased in a much greater ratio than either crime or population. In Lancashire it was about 3*d.* in the pound in 1834, and now he believed it was nearly 8*d.*; and the assessment on which it was taken had increased between 1834 and 1848 from 4,000,000*l.* to 6,000,000*l.* In proposing the second reading of this Bill, all he asked of the House was an acquiescence in this most reasonable principle, that there should be representative control over the county rate—that taxation and representation should go together; he did not ask the House to pledge themselves to all the details of the measure, and he should propose to refer it to a Select Committee on the Bill to consider the machinery for carrying the principle into effect. When the Bill had undergone the ordeal of a Select Committee, the House, if they did not approve of it, could exercise their discretion and throw it out on the third reading; but, looking to the petitions which had been presented to the House, and the representations which had been made by boards of guardians composed of gentlemen entertaining different political opinions, and agreeing only on the present question, he hoped they would not refuse to read it a second time, with the understanding that no hon. Member would be supposed to pledge himself to more than the principle on which it was founded.

Motion made and Question proposed, "That the Bill be now read a Second Time."

Mr. SPOONER rose to put it to the right hon. Gentleman if he thought it would be proper to press his Motion, when he reflected that owing to the hasty manner in which the Bill had been introduced, only one day had virtually elapsed between the first reading and the present stage. The Bill professed to be the same as that of last Session, but it varied essentially in its details. He was favourable to the representative control of the county rates by the ratepayers, but he wished to see that principle affirmed with deliberation and care; and he was satisfied, if the House affirmed the principle now by reading the Bill a second time, they would not sanction the details. He therefore moved that the debate be adjourned.

Mr. STANFORD thought, also, that many clauses of the Bill would require great time and deliberation before the House could assent to them. He vindicated the conduct of the magistracy in the transaction of county business. For five or six centuries these gentlemen had discharged their duties with great satisfaction to the country; and, before any change took place in the present system, a case of great fraud, extravagance, and waste, should be substantiated against them. He concurred with many Gentlemen on his side of the House that taxation should go along with representation; but, without aspiring to any reputation as a lawyer, he could not but say the present Bill did not carry out that principle. Why should not the tenant-farmers, and all persons who paid rates, have direct votes in the election of members of the Financial County Board? The Bill also introduced a principle of antagonism in the composition of the board, by providing that it should consist of magistrates, and of persons not magistrates, in an equal number. The right hon. Gentleman the Member for Manchester had referred to the petitions in favour of a change; but the fact was, that the petitions were very few, considering the importance of the measure, and the petition on which the right hon. Gentleman relied proceeded from interested parties. It was all very true that ratepayers had an interest in economy in the county expenditure, and in the erection of gaols and asylums; but were the magistrates to have nothing to do with the country but to discharge their very onerous duties in dispensing justice? He hoped the debate would not be adjourned, but that the House would come to a decision on the principle of the Bill, which certainly was not that taxation should be represented.

Sir G. GREY suggested, that one of two questions ought to be discussed—the question of adjournment of the debate, or the actual merits of the Bill. As to the Motion for adjournment, he, personally, should not have asked for the postponement of the consideration of the Bill; but he was not prepared to express any final or decided opinion with respect to its details. If the discussion were to go on, however, he would be ready to state, as to the principle of the Bill, the course he should deem it advisable to take. Still, he was not inclined to regard the demand for postponement as unreasonable. Whatever might be the course to be adopted by the House as to the Bill, it was obviously quite impossible that a measure of the nature and importance of that before them should receive the sanction of the Legislature without full consideration and discussion; while, if it were to be thought necessary that the Bill should be referred to a Select Committee, that Committee ought, he imagined, to be invested with the power of taking evidence. Upon the whole, he was inclined to think that the suggestion for adjournment should be adopted.

Sir J. PAKINGTON deprecated a desultory discussion on a Bill of such importance. He wished to meet the measure in the fairest spirit; but was it not remarkable that a Bill of this magnitude, involving the monetary transactions of all the counties in England, should be forced upon the House only three days after it had been delivered to hon. Members? For his own part, he wished to obtain some information as to the probable working of the Bill in his own county, which information it was impossible he could be furnished with in time for the discussion, unless some delay were to be granted.

Mr. HUME was sorry to see this attempt made to postpone, and, by postponing, defeat this Bill. Were a new question involved in the measure, then, no doubt, delay ought to be granted. But what was the fact? After the reform of the corporations, the revenues of boroughs were placed under the management of individuals appointed by the ratepayers of each town, and there was then a great cry that the management of county rates ought to be similarly reformed. He believed that there was no instance in the history of this country of such an amount of taxation as that paid in county rates being levied without the taxpayers having something to say as to its expenditure. He regretted extremely that the right hon. Gentleman the Home Secretary should have taken the course he had adopted, after what had passed last year, and after the petitions in favour of some such measure which had emanated from almost every county in England. [*Loud cries of* "No, no!" *from the Opposition.*] Hon. Gentlemen said "No, no!" Well, then, let them find and produce one petition for the maintenance of the existing order of things. He trusted that the House would not suffer this Bill to be defeated by a side-wind.

Sir R. PEEL said, that it was very material that the House, in determining which course ought now to be adopted, should be influenced by those considerations which would most conduce to a full, satisfactory, and temperate consideration of this important measure. Now, he thought that if the right hon. Gentleman opposite (the Member for Manchester) would voluntarily acquiesce in the proposal made by the hon. Member for North Warwickshire, that that course would much more conduce to such a temperate and full discussion, than, at that moment—nearly four o'clock—to open a debate upon the second reading. Let it be remembered that the proposal for delay came from a Gentleman distinctly declaring himself not to be hostile to the principle of the Bill, the principle of combining a representative system with the present method of managing the county rates. The Bill was only printed on Saturday last, and, although it was no doubt discussed during the last Session, yet surely it was not unimportant that there should be some time left to their constituents for the formation of public opinion as to the matter on its reintroduction. He asked for delay, not with the intention of defeating the Bill by postponement, but because he thought that the request was reasonable. Indeed, if it were not acquiesced in, he feared that a feeling would be roused likely to prevent the full and temperate discussion of the question. He did trust, therefore, that the right hon. Gentleman would not press on his Motion. If he did, he could assure him that he would not thereby forward his views. Six o'clock would speedily come, and would bring with it a delay not conducive to the speedy resumption of the question. He hoped, under these circumstances, that the earliest possible day would be at once fixed for the resumption of the debate.

Mr. M. GIBSON, taking into consideration the quarters whence those recommendations came, would be willing to acquiesce in them, but he wished the House justly to consider the position of an independent Member who stood alone in the House. Delay in his case was the loss of the measure for the Session. It might be a month before he could get another opportunity of bringing forward the measure of which he had taken charge. Was he to bear the responsibility of not proceeding with it when it came before the House in the order of business? Was he to abandon the second reading without any reasonable ground except the arguments of authority, such as the suggestions of the right hon. Baronets the Member for Tamworth, and Northumberland North? He hoped Government would relieve him from that responsibility. He really could not stand against that sort of pressure For his own part, he would prefer to go on and take the sense of the House now on the second reading. Would the Government assist him by naming an early day? Perhaps the noble Lord at the head of the Government might throw a little light on the question.

Mr. ROEBUCK understood that the principle of the Bill was, that taxation should be represented. He very well understood the right hon. Baronet's remark that the Bill should be carefully considered, but the present issue was with respect to the principle. He wanted to know if Government were for that principle. If not, he could understand their desire to postpone the second reading. But if they approved of the principle, he could not see why they should suggest any delay in affirming it.

Mr. HENLEY hoped the Bill would be postponed. He did believe the Bill contained the substance of the right hon. Gentleman's statement. The details actually involved the principle, and an adjournment would only save time.

MR. NEWDEGATE could assure the right hon. Gentleman, that when he spoke of the pressure upon him, he must be in error, if he supposed the counties thought him interested in their expenditure, or that they were interested in his Bill. The right hon. Gentleman now wanted to appear as the farmers' friend, just as those who had destroyed our colonial interest affected to be the friends of the colonies; but it would not go down with the country. The highest authorities as men of business assured him they could not master the details of the Bill, and he hoped the right hon. Gentleman would allow the adjournment to take place.

SIR H. HALFORD suggested to the right hon. Gentleman that it would be as well to substitute for his measure, a Bill exempting occupying tenants from the payment of rates altogether.

LORD J. RUSSELL said, that as it was now so late, there could be no chance of a decision before six o'clock, when they could proceed no further, and the practical consequence might be, that the right hon. Gentleman would be in no better position than if he had accepted the proposition for an adjournment. The right hon. Gentleman had asked him whether the Government would throw some light on the question; which meant, as he understood, that Government should fix a day for the second reading. He (Lord J. Russell) regretted he could not accede to the suggestion, as he thought there was hardly a sufficient number of days for the Government business which had been announced. He must think, however, that some portion of delay, to enable the country to know the nature of the measure, and the important consequences which would result from it, would not be injurious. The hon. and learned Gentleman the Member for Sheffield had asked what was the disposition of the Government with regard to the principle of representation contained in the Bill. He (Lord J. Russell) could only answer that he was so strongly in favour of the introduction of that principle, that he should, when it came to the question, give his support to the second reading. He would do so, however, without at all undertaking the defence of any of the details of the Bill; and, thinking it necessary that there should be a Select Committee to consider the details, it would be probably necessary also to take evidence before the Committee with respect to the present system.

Debate adjourned till Wednesday 13th March.

HIGHWAYS.

MR. C. LEWIS moved for leave to bring in a Bill to amend the laws relative to the management of highways in England and Wales. During the recess a Bill had been prepared having regard to the considerations which had arisen during the discussion on the Bill of the preceding Session, of which he would state the principle to the House. The difficulty of combining turnpike roads and highway roads had been so great in the latter Bill, that the Government had resolved not to attempt it. The present Bill was therefore limited to parish roads and highways, and did not refer to turnpike trusts. The details into which he would enter sufficiently showed the importance of the question, and the magnitude of the sums involved. In 1837 the total expenditure on highways in England and Wales, amounted to 1,113,434*l.* In 1845, the last year for which there were any accounts, it was 1,717,334*l.*; so that an increase of expenditure of 603,900*l.* had taken place in eight years. On the other hand, a diminution of 408,711*l.* had occurred in the same period in the expenditure on turnpike trusts in England and Wales; the amount for 1837 being 1,780,859*l.*; and in 1845, 1,372,148*l.* The cause of the change had been, to a great extent, the introduction of railways, which had altered the internal communications of the country, and had taken the traffic off many turnpike roads, while some parish carriage ways had become of primary importance. The expense of maintaining these roads fell with considerable weight, not only upon parishes in which the population were principally agricultural, but upon those parishes also where manufactures were largely carried on, and which were thickly populated. For the purpose of showing the House the way in which the present system worked, he would just call their attention to the expenditure for highways during the year 1845 in ten counties of England. In Middlesex it was 286,921*l.*; in Yorkshire, including all the ridings, 187,649*l.*; in Lancashire, 163,451*l.*; in Lincolnshire, 97,316*l.*; in Kent, 71,019*l.*; in Surrey, 65,189*l.*; in Devonshire, 42,198*l.*; in Gloucestershire, 41,057*l.*; in Warwickshire, 39,728*l.*; and in Somersetshire, 39,265*l.* To all who examined this subject, it must be obvious that the evils and inconveniences of the system were much aggravated by the small size of the districts upon which those rates were levied. In many cases the highways were maintained not by the parishes, but by the townships; and sometimes even the townships were divided. The result was, that no fewer than 15,841 distinct places paid separate highway rates; that they had each their individual surveyors appointed by the vestry; that those surveyors possessed no professional knowledge whatever respecting roads; that they were not in the habit of receiving any species of remuneration for their services; and that their accounts were, for the most part, very imperfectly audited. The general consequences of the present system, then, were, the want of economy, the want of skill, and the want of due discrimination in expenditure. In support of these observations, and especially in favour of small districts, he might read to them various authorities, but he should content himself with calling their attention to a note on the last Highway Act, an edition of which had been published by a barrister of some eminence. It was the opinion of that gentleman—and not of him alone, but of a very large portion of the public—that the parish roads were, for the most part, very imperfectly maintained; that placing the highways under the authorities of the vestries was a mode of proceeding repugnant to all sound principles of management; and that that species of road could never be placed upon a satisfactory footing till the mode of its management could be totally changed. Such he believed to be the opinion of the most intelligent portion of the community, founded upon the principles which had been recognised for some years. It could not fail to be in the recollection of the House, that in the 5th and 6th of William IV. clauses had been introduced to enable the justices at sessions to form combinations of parishes, each combination to be placed under a common surveyor; but those clauses remained a dead letter, and no advantage accrued to the country from their enactment. Looking, then, at the experience which the way in which those clauses were received had furnished, he should say, that if any impulse were to be given to the formation of larger districts and paid surveyors, it could only be accomplished by making the provisions of the Bill compulsory; and upon that principle he had drawn up the measure which he now proposed to introduce. In thus merely moving for leave to bring in a Bill, he had no wish to enter into unnecessary details. One mode of carrying out the principle upon which the measure had been founded was, that at petty sessions the districts of the county might be settled, supposing they adopted the plan of the Bill brought that day under their notice by the hon. Member for East Sussex. If they abolished the parish surveyors, and took away from the vestry the power of appointing them, they would deprive the ratepayers of a privilege which, perhaps, they did not very much value; still it had long been conceded to the vestry, it could be exercised by that body, and it would be hardly consistent with the principles generally received on such subjects to deprive the ratepayers of such a privilege, for the purpose of vesting it in the magistrates; he should, therefore, not like to propose anything against such a principle of representation. No doubt the power might be entrusted partly to the magistrates and partly to the ratepayers; but that, after all, would be only creating a duplicate board of guardians. Now, it appeared to him that it would be much better simply to take, as he proposed to do by the present measure, the existing divisions of the poor-law unions, and the boards of guardians as they stood, and give them the powers that had been previously exercised by the vestries. To adopt this course would prevent any necessity for creating fresh territorial divisions or the creation of any new elective body, and the boards of guardians might be authorised to choose paid surveyors, at the same time that each parish might be bound to maintain its own highways, and defray the expense of them. The only additional charge to be incurred would be the salary of the surveyor, and compensation to the union officers employed, for the trouble that they might incur. He further proposed to abolish the parish surveyors altogether, to abolish the highway rate as such, or under that name; and, as the districts which he proposed to create would be nearly coincident with the poor-law districts, the highway rate, and the poor's-rate, might be made to constitute one collection—both might be collected and paid by the overseers. In making this alteration, there would be no change effected in the incidence of the highway rate as a charge upon real property. By the Bill, as he proposed to frame it, there would be power given to combine parishes in certain cases for the purpose of enabling them at their joint expense to maintain the whole or a part of their own highways. There was a maximum rate now fixed by law for highways, and he proposed to continue that maximum—nearly the whole of the present system would remain in force except in the cases which he had specifically stated, the rate, as a charge incident to property, remaining the same as before. It had just been suggested by an hon. Friend near him, that he had not yet said anything respecting his proposed audit: upon that point it was only necessary for him to say, that as the accounts would be kept at the workhouse, and the meetings held there, that would be the fitting place for the audit, and to the poor-law auditors he proposed to entrust that duty. By them it could be made with little additional trouble or expense. The Bill which he now intended to introduce would also contain a clause for the purpose of repealing a statute well known by the name of Sir Charles Burrell's Act, by which measure provision was made for contributions from parishes on account of insolvent turnpike trusts; and in repealing that Act, he proposed to provide that the expenditure, according to its provisions, should be carried on, not by the officers of the turnpike trusts, but by the district surveyors. There was one other observation which he had omitted till now to make—namely, that the management of highways was not like the relief of the poor. It was not necessary, for the purpose of managing the highways, that constant attendance should be given. It was not necessary that there should be weekly, or even fortnightly, meetings; perhaps once a month would be found quite enough to enable a standing committee, appointed out of the whole body of the guardians, to do all that could be required for the efficient care and control of the highways. Of course, the boards of guardians, in electing such committees—which they might do annually—would select those who were in the habit of giving most attention to such subjects, and who were practically best acquainted with roads.

Mr. FREWEN observed, that many of the poor-law unions contained one or two parishes which were out of the county in which the greater part of the union might be situate, and for such cases it would be necessary to make provision. With regard to the most important feature of the Bill, he must say he did not consider that the poor-law guardians would be the fittest persons to undertake the control and management of the highways; and he thought this plan the more objectionable inasmuch as the parishes which contained the greatest number of roads did not always return to their respective boards of guardians the greatest number of representatives; besides that, the guardians of the poor had quite enough to do in attending to their own proper functions.

Mr. RICE considered that on several accounts the proposed measure would improve the state of the law. He approved of the Bill upon two grounds; one was that its provisions were compulsory, the other that it would do away with parish surveyors. He was sure that the Bill of his hon. Friend would be found simple and effective; but before he sat down he wished to inquire to what extent it was proposed to invest the guardians with the control and management of the highways.

Sir W. JOLLIFFE said, that every day he became more and more confirmed in the opinion that they could not find a worse management for highways than a board of guardians; and he was sure that it must lead to the employment on the roads of ablebodied paupers in excessive numbers. The surveyors would never be able to resist the pressure that would be made on them to employ the poor of the districts. The only part of the proposed measure of which he cordially approved was the repeal of Sir Charles Burrell's Act.

Mr. DEEDES reserved to himself the full power, at any future stage, of objecting to the details of this Bill; but he thanked the hon. Member opposite for having introduced such a measure to improve a system that was in many respects faulty. Although he was not certain that placing the control of the highways in the hands of the poor-law guardians would be the best possible course, yet he thought that plan must open the door to an improvement on the present system; for he could not but believe that a paid surveyor of a district would be more able to resist solicitations to employ the poor of parishes unprofitably, than the unpaid surveyor was now able to do. Under the present system, there was an extravagant expenditure of money, attended with great demoralisation of the people employed on the roads.

Mr. SLANEY approved of the proposed audit, and offered to the hon. Member who moved for leave to bring in the Bill the meed of his gratitude for persevering in so useful a work. He considered it a great improvement that each parish should pay its own quota, and he considered it also absolutely necessary that some such measure should pass into a law, inasmuch as the great lines of railway ran nearly at right angles to our principal roads. Likewise he approved of the Bill because he thought it would effect a greater uniformity in the repair of roads; for if it passed into a law, no obstinate parish could resist a general desire for improvement.

SIR H. WILLOUGHBY understood that the charge for the highways would still fall on real property, and that, too, according to a wider area than the poor-rates. He apprehended that the Bill would add to the burdens on lands, instead of reducing them.

MR. E. B. DENISON approved of the compulsory plan. The permissive system was worth nothing. Though some of the details of the measure might be open to objection, he thought that, under it, the country would have better roads than heretofore.

SIR R. PEEL said, he had discharged a painful duty when, in the course of last Session, he opposed the measure of the hon. Gentleman the Member for Herefordshire, though he gave that Gentleman full credit for the excellent motives which induced him to bring forward the former proposition. He had now much pleasure in giving his cordial support to his present proposition, so far as the introduction of the Bill went. The hon. Gentleman was entitled to much credit for devoting his time and attention to a subject not in itself very inviting. It appeared to him that the proposed Bill had been framed judiciously with reference to the compulsory combination of parishes, in lieu of the permissive principle. There might, no doubt, in some quarters, be a great unwillingness to change a long existing practice, and in others to part with present patronage. In what mode the combination of parishes should be effected, was a most important question. The hon. Member proposed to make the existing districts subject to the management of poor-law guardians. It would be premature to give a positive opinion on this subject, but it was one of the greatest importance, and it would be well worthy the consideration of the House whether district bodies could not be established for the management of the highways better suited to the discharge of the duties required from them than the present boards of poor-law guardians. These latter bodies had been established without any reference to their fitness for deciding upon the various considerations which were involved in the great change made by the railways in the lines of communication throughout the country. The true principle on which the maintenance of the highways ought to be conducted, was to do the business in the most perfect manner at the least expense, discarding every other consideration. To intrust the management of parish highways to any authority that would be likely to employ the destitute poor upon the highways, because there was a certain amount of unemployed labourers in a union, would be objectionable in principle. Now would there not be an involuntary leaning on the part of boards of guardians to employ upon the highways the unemployed labourers of their respective parishes? He should have much more confidence in a board elected by ratepayers specially appointed to manage the highways, than in the administration by the poor-law guardians. Whether it was politic in other respects to transfer duties of this kind to poor-law guardians, was another important question. He doubted whether they would not act with more authority and weight, in the discharge of their proper duties, if they confined themselves to the administration of the poor-law, than if they had other business to discharge such as the management of highways. If the House should think there was any force in these considerations, it would not be impossible, he thought, to divide the country into districts convenient for the classification and management of the highways, having due reference to the great changes made by the railways, permitting the ratepayers to have a voice in the election of a board distinct from the board of guardians, whose single province should be ~~to~~ maintain the highways in the best state at the least expense, excluding every other consideration. Approving, then, of this Bill so far as it compelled a combination of parishes, and tended to a more economical administration, by enabling districts to make contracts on a larger scale and to secure more able surveyors, and reserving his opinion as to the constitution of the authority that should manage these highways, he would give his cordial support to the Bill. He did not think the mere audit of accounts, as suggested by the hon. Gentleman who preceded him (Mr. Slaney), would be any check on the employment of unnecessary labour by a board of guardians. The duty of the auditors would be to see that a certain number of labourers had really been employed, and that they had been paid no more than reasonable wages. Whether or not employment had been given on the roads to destitute labourers for the purpose of diminishing the pressure on the poor-rate, the auditors could not determine. There might be a perfect audit upon the points he had mentioned, without a corrective of the tendency to make road-labour a source of relief for the unemployed.

Mr. V. SMITH had no doubt that the plan suggested by the right hon. Baronet was the best, if it were only practicable to carry it out. There were many objections to the boards of guardians, who might interfere injuriously with the supply of labour. He had more faith in a paid surveyor, as proposed to be appointed by this Bill. That officer would be likely to employ useful labour, and no other. He hoped it would not go forth to the country that a paid surveyor would entail additional expense on the districts. Such an impression was quite erroneous, as the present surveyors, though nominally unpaid, were not unpaid in reality. They received frequent votes of money from the parish vestries, and were also paid by jobs they had to perform in repairing the roads. As to the combination of the two rates, there was this objection to that plan—that we would not know how much was spent under the name of poor-rate, and how much under that of highway rate; and as long as the farmers could throw the burden of the poor on the highway rate, they would be always ready to do so. That was an argument in favour of the right hon. Baronet's suggestion; but if the right hon. Baronet had had the experience which others had acquired on this subject, in Committee upstairs, he would then have been aware of the extreme difficulty of discovering a proper remedy for these evils. He hoped that it would be shown that this measure would throw no additional burdens on land, because he was sure it would not be suffered to pass, if that would be its effect.

Mr. BUCK hoped that sufficient time would be given to the country to consider the details of so important a Bill. He thought the measure now proposed was preferable to the Bill of last Session; but he was satisfied that no addition of the nature now proposed, ought to be made to the duties of poor-law guardians. They would form committees of their body upon whom would practically devolve the management of these trusts, and he thought it better on many accounts to put the management of the highways under some other control.

Mr. C. LEWIS wished to say a few words in reference to some remarks that had been made in course of the discussion. The Bill intended to enable the guardians to elect the paid surveyor, and fix his salary; and they would also be empowered to remove him, if his conduct called for his dismissal. That, he apprehended, would amount to a moral as well as a legal control over that officer; but if any additional words could be inserted to strengthen the intention of the clause, he would be quite ready to adopt the suggestion. To come to another point—he had already stated that he proposed to entirely abolish the highway rates by name, and require the overseers of the poor to make a rate for the purposes of the highways, and pay the money over to the board of guardians; but he did not propose any change in the incidence of the rate. Clauses were introduced into the Bill by which the rate would be made to fall on property exactly identical with that which was now subject to highway rate. He admitted the justness of the strictures of the right hon. Baronet opposite, the Member for Tamworth, on the union boundaries, and on the poor-law guardians as managers of highways; but he felt that this was a case where they had only a choice of difficulties; for whatever course they could recommend, valid objections would be urged against it. He fully admitted that if they had now for the first time to make a separate provision for the highways, it would not be advisable to adopt the poor-law area for the purpose; but, on the whole, after much consideration, he had come to the conclusion that the plan he now proposed was the one least open to objection. In reply to the hon. Member for Dover, who had inquired what control the guardians would have over the paid surveyor, he (Mr. Lewis) stated that they would elect him, they would have the power to fix his salary, and to remove him. With respect to the highway rate, he proposed entirely to abolish it under that name, and to require overseers of the poor to make a rate for the purpose of maintaining the highways, which rate it would be their duty to hand over to the boards of guardians; but he did not propose to make any change in the incidence of the rate, which would fall upon property just in the same manner as at present. He begged to thank the House for the manner in which the Bill had been received. He was glad to see so general a recognition of the importance of the subject of highways, of the improper manner in which highway rates were frequently spent, and of the importance of making it compulsory upon districts to unite for the management of their highways. He was aware of the difficulty of selecting a body to whom should be intrusted the management of highways. The last Bill he had proposed contemplated a separate elective board for the management of turnpikes and highways. But when the House resolved that the turnpikes should form the subject of distinct management, it was not thought worth while to have a separate elective body for the management of highways. If the question of territorial division were *res integra,* he would admit that it would not be desirable to take the boundaries of the present poor-law unions; but the subject presented a choice of difficulties. Valid objections might be urged to whatever course might be proposed, but the plan he had adopted was open to the least objections in amount and gravity. He would, in the interval before the second reading of the Bill, see whether it would be possible to substitute any other local body in preference to the boards of guardians.

Leave given.

Bill ordered to be brought by Mr. Cornewall Lewis and Sir George Grey.

The House adjourned at half-after Five o'clock.

HOUSE OF LORDS,

Thursday, February 14, 1850.

MINUTES.] PUBLIC BILLS. — Umpires Appointment; Sunday Trading Prevention.
Reported.—3° County Cess (Ireland).

AFFRAY AT DOLLY'S BRAE.

The MARQUESS of LONDONDERRY said: I wish to avail myself of the present opportunity of putting two or three questions to the noble Baron who has given notice of a Motion on Monday next relative to the late unfortunate transactions at Dolly's Brae. I wish to extract from the noble Baron near me some information as to the nature or objects of his Motion. I hope I am not infringing by unjustifiable curiosity beforehand the Parliamentary usages in this respect, and I am sure the noble Lord will not think me deficient in courtesy if I endeavour to know beforehand a little of the course he means to pursue. There are none of your Lordships who are more deeply interested in the county where the unfortunate event took place than myself. Possibly, therefore, some indulgence may be extended to me if I venture to express that if no practical object or positive decision is intended to be taken by a recurrence to all those over-and-over again recorded facts—if nothing is to emanate from the Motion but statements and counter-statements, so long and so fully before the public—I too much fear that fanning the flame anew, which is now expiring, by your Lordships' discussion, must only be productive of evil. If the Motion were brought forward by any Peer not in the peculiar position of the noble Lord, I might not fear its consequences so much; but, as the head of a great party which he leads in this House and in the country, it will not be possible to persuade the Catholics of Down that the noble Lord is not in league with the noble Earl at the head of the Orange Society, and that this measure and discussion are renewed for their disadvantage, and fresh bitterness and revengeful feelings will arise. Besides, my Lords, I confess, unless it is a Motion to condemn the Irish Government for the dismissal of the Earl of Roden, or a positive vote of censure on any part of the proceedings, I cannot see the practical good that can result, but much pain and inconvenience, in having two personages in collision upon statements of facts before your Lordships, out of which nothing is to arise. Report informed me, it was to be asked if there was to be an unreserved disclosure between the two noble Lords. My Lords, much private explanation has taken place, but surely we are not called upon or bound to go into this. I certainly should contemplate such a proceeding with much regret. I have the highest respect for both noble Lords; with one I have the pride of being connected; with the other I esteem his high character, and it is from feeling for both that I should be sorry to see useless *exposés* and explanations, which, during a long period, have been through such a press as the Irish press high coloured and exaggerated. The noble Earl (the Earl of Roden) has had every demonstration that could satisfy personal vanity. The Lord Lieutenant, I conclude, has had Her Majesty's approbation for these proceedings. Their reciprocal conduct, therefore, stands without any necessity for public vindication. May I then not be permitted to doubt if this Motion upon the public tranquillity of Down may not be attended with more harm than advantage? That hitherto peaceable and industrious county is in a state of dreadful excitement, by the Presbyterian ministers at the present moment exhorting the people not to pay rents, but to resist the laws; they are more rabid in their radical doctrines than the Catholic priests have ever been formerly. To make, at present, any further agitation of the Dolly's Brae merits or demerits would be productive of increasing party differences, and surely ought, if possible, to be avoided. Feeling these sentiments, I would entreat the noble Lord, unless he clearly sees a practical object in his Motion, not to incur the risk of greater animosities in my unhappy country.

Lord STANLEY said, he really felt somewhat embarrassed, for the noble Marquess had said that he would put two or three questions to him; and yet, though he had listened with the most patient attention to the speech of the noble Marquess, he had not heard either of the questions to which he was expected to give an answer. If the noble Marquess meant to ask him for the precise nature of his Motion, he would furnish him with the particulars of the papers for which he intended to move, of which he had given the noble President of the Council a list last night, and which he now formally laid on the table of the House. What connexion the noble Marquess might perceive between the proceedings at Dolly's Brae, and the reluctance of his tenants in the county of Down to pay their rents, he (Lord Stanley) had no knowledge. As to the receipt of the noble Marquess's rents, that was a matter not connected with the proceedings of their Lordships, and might arise from other causes than the agitation ensuing after the events at Dolly's Brae. If the noble Marquess was afraid of the excitement which the discussion of his Motion might occasion, he would dissipate his alarm by promising that he would not allude either to the noble Marquess himself, to his tenants, or to his rents, and that he would confine himself strictly to the great constitutional question which he should then endeavour to bring under the consideration of the House. If the noble Marquess really wanted to know the object of his Motion, he hoped that he would come down and listen to the statement which he should make on Monday night.

The Marquess of LONDONDERRY denied that he had ever said that the agitation which was now going on in the county of Down was owing to the transactions at Dolly's Brae. But, as the agitation on that subject had been followed by agitation on other subjects, and especially on the payment of rent, he considered it to be very unwise in the noble Baron to renew an agitation which had been the signal for raising all the agitation which followed.

House adjourned.

HOUSE OF COMMONS,

Thursday, February 14, 1850.

THE KILRUSH UNION.

Mr. MONSELL wished to put a question to the right hon. Baronet the Secretary for Ireland with reference to the condition of the paupers in the Kilrush union. When a question was put on the subject a few days ago, the right hon. Baronet led the House to believe that the statements then made as to the miserable and starving condition of those unfortunate persons were exaggerated, and said, that at the time they were alleged to be in such a frightful condition there was a large amount of accommodation available in the union workhouse. He (Mr. Monsell) had since received accounts from Kilrush, from which he learned that the number of deaths in the workhouse in November, 1849, was 50; and in the month ending the 3rd of February, 1850, the number had increased to 120. He was also informed that in the week ending the 2nd of February, 40 persons died, 28 of them from dysentery, and that more than one-half of those unfortunate persons had not been a month in the workhouse; and also that a large number of persons who had repaired to the workhouse from distant parts of the union had been compelled to return to their homes without food or relief. He therefore begged to ask whether outdoor relief had been stopped in the union at two separate periods; whether there were funds in the hands of the guardians at the time of the last stoppage; whether the number of deaths he had stated was correct; and whether it was true large numbers of persons, amounting to several hundreds, had been sent back from the workhouse without their cases being considered by the guardians?

Sir W. SOMERVILLE said, that on a late occasion, when his hon. Friend the Member for Stroud put to him a long series of interrogatories with reference to the Kilrush union, he (Sir W. Somerville) answered him to the best of his ability, and in a great degree from memory. He hoped, however, that the hon. Member for Limerick county would excuse him if he adopted a different course on this occasion; because it was really impossible for him to return precise and specific replies at the moment to questions founded upon communications which might be made to any hon. Gentleman, when he had no papers which would enable him to answer those inquiries with accuracy. He had not meant, on the last occasion, at all to deny the great amount of distress existing in the Kilrush union; and he told the hon. Member for Stroud, that if he required any papers on the subject, he (Sir W. Somerville) was ready to produce them. He could only now repeat that statement to the hon. Member for Limerick; and if the two hon. Gentlemen would move for papers, he was quite ready to lay on the table any information it was in his power to afford. He did not think that the stoppage of relief referred to by the hon. Gentleman was likely to have arisen from any want of funds in the hands of the guardians. He had the means of ascertaining the amount of mortality from the returns which were furnished to him; and it was quite true that there had been a very great increase in the mortality in the Kilrush union during the last few weeks. He did not wish to understate the amount of misery and destitution existing in that union. The privations which the people were suffering were undoubtedly excessive, and he deeply regretted the existence of such a state of things; but he believed that the destitution would be best relieved by increasing the workhouse accommodation. He might observe, that within a very short time the Government had advanced the necessary funds for providing additional workhouse accommodation in the Kilrush union for 500 paupers.

PUBLIC LIBRARIES AND MUSEUMS.

MR. EWART moved for leave to bring in a Bill for enabling town councils to establish Public Libraries and Museums. He said there was scarcely any country in Europe so inadequately provided with public libraries as England; and, in submitting the present Bill to the consideration of the House, he was supported by, he might say, the unanimous resolution of the Select Committee appointed last Session. That the metropolis and the large towns of this country were in a more lamentable condition for want of public libraries than any of the capitals or large towns of Europe, had been a subject of complaint so long ago as the time of Gibbon. Since the days of Gibbon the metropolis had had the benefit of the opening of the British Museum library; but much still remained to be done. If they compared the condition of London with regard to public libraries with that of Paris, or even Dresden, it was most miserable. Generally speaking, on the Continent the rule of accessibility was universal; and any hon. Gentleman in that House, who had resided for any time in a continental town, must have found the advantages to be derived from the accessibility of the public libraries. If the condition of the great manufacturing towns on the Continent and in England were compared, how great were the advantages in favour of the former. In Italy and Germany no great town was without a library. Here there was only a sort of small public library in Manchester; but there was none in Glasgow, Leeds, Sheffield, and other great manufacturing towns; whilst in Amiens, Rouen, Lyons, Marseilles, and other towns in France, the working classes resorted in numbers to the fine public libraries that were open to them. The literature of the country must naturally have suffered from the want of such institutions. The Committee turned their attention especially to the point, and found it to be so. All the evidence taken upon that part of the subject tended to prove that the labouring population would be far more advanced if they had such opportunities as were afforded by means of public libraries to the working classes of other countries. There were two kinds of education—that imparted in schools, and that acquired by individuals themselves; and they had the authority of Gibbon for saying that the education which a man gave to himself was far more important than that which he could acquire from a teacher. In public libraries the opportunity of self teaching would be afforded to the labouring classes. The Americans had made far greater advancement in the matter than the people of this country had. In every state of the Union there was a library kept up by the State, and accessible to the public, and from them the people derived immense benefit. There was scarcely a native of the United States who could not read. He would not then dilate at any length upon the subject. He was aware that his right hon. Friend the Member for Manchester was about to bring before the House the important question of taxes upon knowledge, and it would then be seen what immense advantages the people of the United States, and of the Continent of Europe, had over those of England in that respect. It was for these reasons that he (Mr. Ewart) had been instructed by the Committee to lay their opinions before the House, and that he had taken the liberty of offering this Bill for its consideration. He begged to be permitted to describe very shortly the nature and provisions of it. In the first place it would be a very brief Bill. A few years ago his hon. Friend the Member for Salford and himself had introduced a Bill enabling town councils to establish public museums of art and sciences. That Bill was carried under the auspices and with the assistance of the right hon. Baronet the Member for Tamworth. It was carried unanimously, and it had given considerable advantages to the public. But inasmuch as the Bill he now proposed went somewhat further than that which was commonly called the Museum Act, and as the Museum Act contained one or two inconsistencies, he had thought it better to consolidate the two Bills, and to enable town councils to found both museums and public libraries. The Museum Bill gave to town councils the power of levying a small rate, not exceeding one halfpenny in the pound, for the establishment of public museums. He had adopted that provision in the present Bill to enable town councils to purchase land and erect buildings, and furnish them as libraries and museums out of the proceeds. In the next place, he proposed to vest fixedly and for ever the property and the buildings in the town councils. The Museum Bill restricted the power of establishing such museums to cases of towns possessing a population of not less than 10,000 inhabitants. He thought it better to extend the power to all municipal bodies whatsoever. He proposed to allow any municipal board to establish a library and museum under this Act. In the next place, the Museum Bill enabled town councils to levy one penny upon each person admitted to the museum. He thought that a useless impediment, although it was so small, and he proposed to abolish it and admit the public gratuitously both to the libraries and museums. These were the principles of the Bill. It would not give to the town councillors the power to purchase books; they relied upon books being supplied by the donations of individuals. They had many instances of such donations being given. He need only mention, as one, the Grenville contribution to the British Museum. But a very practical question that might be put was, whether the Bill was called for by the people for whom it was intended? He replied that it was. It had even been anticipated by the people. Some of the towns had anticipated a Libraries Bill by turning the Museum Bill to their use. One instance he would give was that of the town of Warrington, which, a short time ago, had taken advantage of the Museum Act to establish a library as well as a museum, and the library committee set forth in their last report that they had not only an increasing library, but that the specimens of art and science had been much increased also; indeed, they expected shortly to be well supplied with books. Another case was that of Salford. At the instance of the hon. Member for Salford, the Salford town council had placed a large building which was in their possession at the disposal of the public for a library, and, although it had been instituted only six months, there were already 5,000 volumes in it, and they had continual promises of further contributions. The people of Birmingham and Sheffield had held meetings, and expressed a good deal of anxiety upon the subject; and at a meeting held on Tuesday last, at Sheffield, it was stated that the First Lord of the Treasury had expressed to the deputation from that town a strong feeling in favour of the Bill. He (Mr. Ewart) might multiply instances to prove that in passing such a Bill as that he proposed, the House would be following, not anticipating, the feelings of the people. But what he had stated would suffice. One great advantage which might be hereafter derived from such institutions he should mention. It was that their contents would be illustrative of the local and natural history of the places in which they were established. They would be most valuable to the future historian, as furnishing not only works illustrative of the locality in the libraries, but as preserving in the museums samples of the natural curiosities of the neighbourhood. The Act was founded entirely on a popular basis. They were not about to ask the Government for any assistance, pecuniary or otherwise. They merely asked that those popular institutions might be legally founded by the people, supported by the people, and enjoyed by the people.

Mr. BROTHERTON seconded the Motion.

Leave given.

Bill ordered to be brought in by Mr. Ewart, Mr. Brotherton, and Mr. George Alexander Hamilton.

MINISTERS' MONEY—(IRELAND).

Mr. FAGAN, having first presented a petition from Cork, signed by 12,000 persons against the rate called ministers' money, and another to the same effect from Kinsale, said, that in rising to submit for the third time to the consideration of the House the Motion of which he had given notice, he would not occupy at any length its attention. It was not necessary for him to do so. The House was already familiar with the question. On the first year he brought forward this Motion, he detailed the grievance of the imposition of ministers' money on corporate towns in Ireland, which were principally inhabited by Roman Catholics — namely, Dublin, Cork, Clonmel, Limerick, Kinsale, Kilkenny, Drogheda, and Waterford; while the corporate towns in Ulster, such as Belfast, Londonderry, Carrickfergus, were free from the tax. He showed likewise that even in these eight Catholic towns the poor Catholic inhabitants were principally pressed on because inhabiting generally the old quarters of towns which had fallen one-fourth in value, while the valuation for ministers' money there remained the same, they were quadrubly assessed, while the new and wealthier parts of these towns which were inhabited principally by Protestants, were comparatively lightly taxed, because no matter how high the valuation of the houses they dwelt in, they could not be assessed for ministers' money beyond a shilling in the pound on 60*l.* Irish. He showed likewise how this tax, though amounting in the whole to no more than 15,000*l.* a year, kept alive religious dissension and rancour amongst the different sects of Christians, causing perpetual division and unceasing irritation amongst Irishmen—not only in those towns where the tax was paid, but alike throughout the country, because every Catholic felt that the payment of such a tax by his Catholic countrymen was a mark of degradation, and a disgrace and insult which was inflicted on him as well as on those who paid. Last year he proved from the evidence before the Select Committee, as well as from letters he had himself received, that the clergy who received the tax, were as anxious that it should be abolished and a substitute found as the Catholic taxpayers themselves. He could scarcely wonder at that. These clergymen feel that it is exceedingly unpleasant for them to obtain their incomes by distraining the miserable furniture of those with whom they have no religious communion. In the discharge of their clerical functions they think it is their duty to preach against and disparage the religion of the people from whom they derive their incomes, and therefore they feel anxious that any substitute should be found to relieve them from so unjust and so painful a mode of levy. He held in his hand a handbill which was within the last few days distributed amongst the Catholics of Cork. It is addressed to the Roman Catholics, and it invited them to come to hear a lecture delivered on Ash Wednesday in one of the churches of that city, "in which it will be proved that the Church of Rome has erred from the faith and structure of the Apostolic Church." The rector received a large income from ministers' money paid by the Catholic inhabitants of the parish; and it is not to be wondered at, if he have the feelings of a Christian minister, that he should desire the mode of receiving his income should be altered. This offensive practice of lecturing during Lent is always carried on in Cork. The walls are placarded with the most offensive statements against the Catholic religion, and the least the Catholics should obtain in return from the Legislature is, that they should not be forced to pay those who thus insult their religion. Last Session he endeavoured to demonstrate that a substitute was to be found in the funds of the Ecclesiastical Commissioners, as was recommended by a Select Committee of that House. That there was some weight in the argument he made, was proved by the right hon. Baronet the Home Secretary moving the previous question, or, in other words, admitting the justice of the demand and the truth of his statements; but alleging that the time was not arrived to carry his views into effect. Subsequent to the debate, he (Mr. Fagan) had an interview with Sir George Grey, who assured him that he concurred in most respects in his proposition, but that the Lord Lieutenant, who was then in town, did not see how anything could be effected that Session. Since then Lord Clarendon had announced to his (Mr. Fagan's) constituents, that the question was under consideration. He therefore came forward to submit his

Motion with renewed confidence. He had the promise of the Minister—the favourable disposition of the Lord Lieutenant—the visit of Her Gracious Majesty to Ireland—as an earnest of Her desire to do that country justice. He had the pledge of Parliament, and of the Sovereign of these realms, to redress all the proven and real grievances under which it laboured. Such being the position of the question—the admitted injustice of the tax, and desire of the clergy and taxpayers, the Government and the Parliament, to get rid of it as a proven grievance—he came forward with confidence to propose a substitute. With such a disposition towards Ireland, it shall not be said that an endeavour was not made to get rid of this tax, which was hateful to the clergy who received, as well as the people who paid. He maintained that in the fund of the Ecclesiastical Commissioners, that substitute was to be found, notwithstanding apparently their present deficient state. He repeated what he said last year, that there was nothing in the Church Temporalities Act which prevented the annual sales of perpetuities being used as income. What is the money received by the conversion of bishops' leases into perpetuities ? Up to 1844, the money so obtained was used as income, and expended annually for the repairs of churches and other church purposes. That year Lord Heytesbury directed that the amount of these annual sales should be capitalised and funded, and interest alone used as income. But in the Church Temporalities Act there was nothing to prevent its being expended as it came in. The question, then, is simply this—was it right and expedient to follow the course which was adopted by the Ecclesiastical Commissioners up to 1844, and expend as a substitute for ministers' money, in order to get rid of an obnoxious tax, a portion of the annual receipts from the sales of perpetuities, in the same manner as they did for repairing churches, while their ordinary income was inadequate for that purpose. The entire value of the perpetuities was valued by the lowest estimate at 1,200,000*l.*, and of this nearly 700,000*l.* is still outstanding. The lowest sum received within the year for these sales was 13,000*l.*; it may be safely estimated at 20,000*l.*, if sufficient encouragement be given the tenants to purchase. When the bishoprics of Armagh, Derry, and Clogher become vacant, 16,500*l.* will be added to the income of the Ecclesiastical Commissioners; and Mr. Quin, one of these commissioners, estimates the probable increase to be derived from the tax on benefices and bishoprics, and dignities yet to be voided, at 13,600*l.*; both these sums make over 30,000*l.* a year, an income which will arise within a very few years, for the present incumbents of these bishoprics, and dignities, and benefices, are all far advanced in life. If, then, until this increase of income arrives, 15,000*l.* a year out of 700,000*l.*, to be obtained from the sales of perpetuities, be appropriated as a substitute for ministers' money, there would not be much injury done to the property of the Ecclesiastical Commissioners, and no one would say that it was not appropriated to a church purpose. It was true, that of late years the sales of perpetuities had fallen off. There are several reasons for this. But the principal one was the change made of late in the mode of estimating the value of the perpetuity, and the inadequate bonus given to the purchaser. The old mode of estimating the sales of debentures was this —the diocesan annual value of the land held by the tenant, being ascertained from this annual value, was deducted, the rent and annual fine paid by the tenant, and the difference multiplied by 20, for the value of the fee-simple. Then the rent paid by the tenant, with the annual fine added thereto, was multiplied by 12, 821, to ascertain the value of his interest. The one was subtracted from the other, and the difference, deducting 4 per cent bonus, paid for converting his lease into a perpetuity. Now, the diocesan value, which consisted of the rental paid, together with five times the usual fine, was far below the real *bonâ fide* marketable annual value or rent of the land. Now, of late years, the Commissioners, under the advice of the law officers of the Crown, in ascertaining the value of the perpetuity, take the solvent tenant-test of value of the land; and, consequently, the tenant has a much larger sum to pay for the perpetuity. Therefore, it is, that unless a larger bonus than 4 per cent is given, no purchase will be made. Now, the Ecclesiastical Commissioners are deeply interested in having these purchases effected, while no person is interested in their not being effected. Every sale made adds to their income, and neither bishop, nor other ecclesiastic, nor bishops' tenant, is interested in these sales not being made. Therefore, though increasing the bonus may take something off the 700,000*l.* yet to be brought in by these sales, he would still maintain the expediency of making the bonus 8 per cent instead of 4. There was another reason why these sales had fallen off. It has been lately ascertained that the tenants of the Ecclesiastical Commissioners need not come in annually and pay their fines; but that if they deferred doing so until the very last year of the lease, they would be entitled to a renewal without any additional charge. This is not the case with the leases held under the bishops. In these cases, if the tenant deferred, until the last year of his lease, he would have an enormous sum to pay. Now, this knowledge, enjoyed by the tenants of the Ecclesiastical Commissioners, lessened the income of the Commissioners considerably, and indisposed the tenants to purchase perpetuities. It was, therefore, necessary to amend the law in that particular, so as to oblige the tenant to renew yearly. This would be a stimulus to him to purchase. If this course was adopted, the revenues of the Ecclesiastical Commissioners would be amply increased by the sales of perpetuities, to enable them to provide a substitute for ministers' money. Allowing the receipt from the sales of perpetuities to be 15,000*l.* a year, the account would stand thus :—

RECEIPTS.

Suppressed bishoprics	£50,279	2	10
Suspended benefices..............	15,574	14	6
Tax on benefices	8,784	4	1
Received from Bishop of Derry	4,160	0	0
Interest on mortgages...........	2,618	0	0
Mines	402	0	0
Sales of perpetuities	15,000	0	0
	£96,818	1	5

EXPENDITURE.

Church requisites..........................	£34,792
Repairs, &c..................................	22,183
Bishop of Kilmore	100
Interest on building	688
Stipends to Dublin curates...............	1,902
Ditto to vicars, choral.....................	3,689
Augmentation of small bonuses.........	962
Schoolmasters	132
Salaries..	6,516
Incidental expenses........................	2,975
Other expenses..............................	268
	£74,207
Rebuilding	6,634
	£80,841

The expenditure, which is higher than it has hitherto reached to, had from the income, would leave over 16,000*l.* to meet the payment of ministers' money. The reason there was hitherto no surplus was, that the Commissioners had to repay the debt due to the Government. This debt was now reduced to 30,000*l.*; and it was part of his plan that this sum should not be demanded by the Government. They forgave a million sterling during the tithe contests; and it was not too much to hope that to assist in settling this painful question of ministers' money, they would abandon their claim to this paltry sum—more particularly when it is recollected that the original debt of 100,000*l.*, of which this was a balance, was contracted to meet the demands which ought to have been paid by the arrears of church rates, but which the Legislature declared should be forgiven. His plan then was, firstly, to make the annual sales of perpetuities income: this required no alteration in the law; secondly, to increase the bonus from four to eight per cent, and to oblige the tenant to pay their fines annually; thirdly, to place the payment of the incumbents in the eight corporate towns where ministers' money is paid, the ecclesiastical funds in lieu of that tax which he would abolish: for this purpose he proposed bringing in a Bill altering the Church Temporalities Act in these respects, and extending the provisions of the 72nd section of that Act to the payments of these clergymen; and, lastly, he would wipe off the debt remaining due to the Government. There can be no fair objection to this proposition, and he put it to Her Majesty's Government whether they will any longer resist it. The sum is small, but the evil effects of its collection is greater than if the sum were ten times as large, and was not connected with religious belief; for, after all, that was the powerful part of the subject. That being the case, the smallness of the sum is a reason why an effort should be made to get rid of this obnoxious tax. It is for that reason, therefore, that he appealed for the third time on the subject to the House, confident that, now that there is a disposition to redress the present grievances of Ireland, the tax of ministers' money will not be allowed to remain on the Statute-book —a tax as disagreeable to the clergy who received it, as the people who paid it. There is no other substitute except the one he devised that can be satisfactory. It cannot be paid out of the Consolidated Fund. The people of this country will not listen to such a proposition. It cannot be put on the landlords; for it has been shown in the evidence before the Select Committee that the house property in these towns belongs principally to Catholics. The tithes were put on the landlords in the form of rent-charge; but nineteen twentieths of the landed property of Ireland was in the hands of Protestants, therefore the analogy does not hold good. The great argument for the continuance of the Protestant Church Establishment in Ireland was, that it was part and parcel of the United Church of Great Britain and Ireland. If that be so, why not put both churches on an equality? In England there is no ministers' money except an ancient tax payable in the city of London. Why, then, should it exist in Ireland? He had studiously avoided any reference to the general church question; that belonged to his hon. Friend the Member for Middlesex, and whenever he brought it forward, he (Mr. Fagan) would not shrink from taking a part in that discussion. But he could not avoid saying that it was too bad that they should be year after year petitioning for relief from an obnoxious tax, while there were 600,000 acres of the best land in Ireland belonging to the Established Church; while the clergy received a half a million annually; the bishops 60,000*l.* annually; the Ecclesiastical Commissioners 100,000*l.* a year — all to support the religion of 800,000 persons out of a population of 8,000,000. He, therefore, conscientiously believed that he did nothing to injure or weaken the Protestant religion, or to subvert the Church Establishment in moving the resolution.

Motion made, and Question proposed—

> "That this House will, To-morrow, resolve itself into a Committee, to take into consideration the Law relating to the Rate or Tax called 'Ministers' Money,' in Ireland, with the view to the repeal of so much thereof as relates to the said Rate or Tax; and further to take into consideration the Act 3 and Will. IV., c. 114, called 'The Church Temporalities Act,' for the purpose of amending the same so as to provide thereby a substitute, out of the Revenues of the Ecclesiastical Commissioners, as a provision for the Protestant Ministers in certain corporate towns in Ireland, in lieu of the annual sums now received by them under and by virtue of the Act 17 and 18 Charles II., c. 7."

DR. POWER seconded the Motion.

SIR G. GREY must say that the hon. Gentleman had brought forward the subject again in the same spirit of fairness, and with the same temper and discretion, as in last Session. He only regretted that, the circumstances being almost identical, he was compelled to take the same course as on the former occasion, and move the previous question. The hon. Gentleman had stated that in moving the previous question he had admitted the hon. Member's case; and, to a certain degree, he had. He had admitted that it was much to be deplored that the income of some of the clergy in the towns in question was dependent upon a source obnoxious both in their own opinion, and in the opinion of those who paid it. In the report of the Committee upon this subject in 1848, there was a reference to the conduct of some of those clergymen in foregoing their dues rather than incur the odium to their religion, as well as to themselves personally, of coming into collision with their Roman Catholic neighbours. But the hon. Gentleman had not stated the resolution of that Committee. The Committee, after adverting to several propositions for providing a substitute, not proposing the abolition of the tax without a substitute—in which the hon. Member appeared to concur with them—said they had proceeded to make inquiry into the receipt and expenditure of the Ecclesiastical Commissioners, and that they had arrived at the conclusion, not that there was in the hands of the Commissioners a fund sufficient to provide a substitute, but only "that the existing income of the Ecclesiastical Commissioners was adequate to their actual expenditure," and that prospectively and contingent upon the occurrence of certain events a large increase in their funds would take place, and the augmentation of their funds might be rendered available as a substitute for ministers' money. They did not say that it then existed, but that when it arrived a substitute might be provided for this impost. To adopt this Motion, therefore, now, would not be acting in accordance with the recommendation of the Committee. A suggestion was, indeed, thrown out by one of the witnesses, but it was not adopted by the Committee, that this charge might be borne by "some Government fund—say the Consolidated Fund." He understood the hon. Member not to concur in this suggestion, but he adverted to the debt due to the Government from the Commissioners, and thought the Government would do well to abandon it and let the amount be available for the proposed object; but that was only a circuitous mode of charging the Consolidated Fund. It was desirable, no doubt, to find a substitute; but the circumstances contemplated by the Committee did not at present exist, He felt it his duty, therefore, to move the previons question.

Dr. POWER could state that payment of this tax was often obtained by distress and salè of the goods of poor Roman Catholic artisans. The right hon. Baronet the Home Secretary appeared to say that the difficulty in the way of removing the tax, was the impossibility of finding a substitute. His hon. Friend the Member for the city of Cork, however, though not bound to do so, had pointed out that substitute. But was it not a heartless mockery to tell the people of Ireland they were to pay the tax because the most richly endowed church in the world was unable to provide for a few of her clergy? The time was coming when the whole question of the Irish Church would be thoroughly sifted. Ireland must be held by force, and not a man could be reduced from the army maintained there by this country so long as the Established Church, which was the cause of all the misery and bloodshed that had taken place, was allowed to continue. He believed the Government wished to do justice, and the people of Ireland were persuaded it was the sincerest wish of their Sovereign's heart to redress their grievances; but that temple of peace to which the right hon. Baronet the Member for Tamworth had once alluded, would never arise till its foundations were laid on the ruins of the Established Church.

Mr. HUME contended that the question came before the House under different circumstances from those which surrounded it last year. Her Majesty had since visited Her Irish subjects, and had promised them in Her Speech at the opening of the present Session that their grievances should be redressed, and what was defective in the government of that country should be remedied. The right hon. Baronet the Home Secretary admitted this impost to be a grievance, and yet he refused to remove it. This was a grievance, too, which extended to Scotland. Charles II. established a similar impost in Edinburgh and Montrose; and on behalf of his constituents and the inhabitants of Edinburgh, as well as on behalf of the people of Ireland, he demanded the abolition of this unjust and partial tax. It was not the amount he looked at, so much as the principle. The whole amount levied for ministers' money in Ireland, he believed, was not more than 16,000*l.*, and in Scotland it did not exceed 15,000*l.*, therefore the amount was not important. His strong objection was, that it was the stamp of oppression. In Ireland, too, he was sorry to say some of the clergy who received it had lately been preaching damnation, and using language highly irritating to those who paid the money. This was not only an unjust but a most ungrateful return.

Mr. MONSELL said, that his object in rising was to reply to the observations of the right hon. Gentleman the Home Secretary. That right hon. Gentleman fully admitted a grievance, while he refused to redress it. Now, in the case of a Turnpike Bill, the right hon. Gentleman's argument for the previous question might be a good one; but when a large number of the people were deeply interested, he thought that the course adopted on the Treasury bench was anything but satisfactory. He, would like, however, to quote the authority of a much-respected and beloved prelate on the subject. He alluded to the Bishop of Limerick. The Bishop of Limerick expressed a decided opinion that if, instead of the present mode of payment, there was a fixed stipend, diminished by one-fourth, much of the difficulty would be obviated. It would appear, also, from a letter which had been addressed to him from the Bishop of Down and Connor, that when that prelate was connected with a parish in the city of Limerick, the great bulk of the payers of this tax were Roman Catholics. The evidence taken before the Committee also went to show that as large an amount on account of ministers' money was paid in respect of houses valued at 60*l.*, but whose value was really only 20*l.*, as for the flourishing establishment of the Messrs. Beamish, valued at 2,300*l.* The last prelate to whom he had referred, had also said that in the parish of St. Munchins, in Limerick, nearly every contributor to this tax was a Roman Catholic, and that the collection of the money had given rise to much party feeling; he should, therefore, strongly recommend that some arrangement be devised to remove the ground of complaint. Many parishes in the south of Ireland were in the same condition; and he could only assure Her Majesty's Ministers that if they expected the people of Ireland to exhibit towards this country feelings of loyalty and affection, they should take the earliest opportunity of removing this impost—an impost which he believed no other country would bear. Depend upon it the maintenance of this tax would tend to sow the seeds of disaffection and animosity towards this country, and prevent that improvement in Ireland which it now seemed to be the general disposition to inaugurate.

Mr. NAPIER thought that the nature and character of this tax were much misunderstood. It was not personally a tax on Roman Catholic occupiers. It was continued on the settlement of property in the time of Charles II., and it was a very different charge from what was generally supposed. He admitted there was much inconvenience in the collection of the money. He admitted, that in many cases the clergy had forbore their rights, rather than hazard any disagreement with their parishioners. But the fact was, that this money was originally put on corporate towns in Ireland at the time when they were exclusively Protestant; and by an Act of Charles II. the whole property was remodelled, and the course taken was this:—People who had been dispossessed of property in the towns, got property allotted them outside of the towns, and the corporate towns were inhabited by English settlers. The Crown had then the whole fee of the property, no one had any right in it but Charles II.; and having invited English settlers to these towns, he then provided that there should be a charge on the House for the purpose of supporting certain of the clergy. And so far from those who received this money ever preaching doctrines which were obnoxious, he would appeal to both Roman Catholics and Protestants whether there could be a more diligent, useful, or benevolent body of men to be found in any part of Ireland. The charge being on the owners of houses, on whom else could they put it? No substitute for the ministers' money had ever been proposed by anybody, though the question had been discussed year after year. His hon. Colleague and himself, in Committee, had agreed to exempt small tenements from the impost; but as to the removal of the tax, there having been no substitute named, he was confident that no man with a sense of justice would do this. A right rev. Prelate had regretted that there should be another Parliamentary confederacy on foot against the Church of Ireland, and observed that they who knew the effect of the sad tithe war of 1832 should be cautious how they proceeded in such a course. The ministers' money was provided for in the Church Temporalities Act, when Mr. O'Connell was in the House. He was willing to remove any inconvenience in the mode of collecting for small tenements; but he hoped that the House would not assent to the views of the hon. Gentleman the Member for the city of Cork, who sought to deprive these reverend gentlemen of their vested rights.

Mr. KEOGH merely rose to make a few observations in reply to what had fallen from the hon. and learned Member for the University of Dublin. It seemed to him that the hon. and learned Gentleman, and those who acted with him, though very ready to declare, in general terms, that they were quite prepared to remove the impost, would be likely to find some special objections when the time came to test their sincerity. They would be sure to object to the occasion, to the time, or to the want of a substitute. The right hon. Baronet the Home Secretary had already suggested, indeed, that no substitute had been pointed out; but it was incumbent on Government, when a grievance was admitted by them—a grievance which the Protestants were as anxious to remove as the Roman Catholics—to find one, and not to let it rest on a private individual, or an independent Member of the House. There was something very suspicious about the declaration of readiness to remedy the grievance, particularly when the hon. and learned Gentleman brought in the case of the anti-tithe war. There was no connexion whatever between the two cases. If the right hon. Baronet the Home Secretary was, indeed, anxious for the repeal of the impost, why did he seek to prevent discussion? He was astonished to hear the argument of the hon. and learned Member for the University of Dublin, that when the impost had been first established, the owners of houses were all Protestants. Would the hon. and learned Member say that they were all Protestants now? A more monstrous proposition had never been put forward, when it was known what a mass of houseowners were Roman Catholics. The Rev. J. Elmes, the Protestant rector of St. John's, Limerick, who was examined before the Committee of which the hon. and learned Gentleman was a Member, said he believed that when the enumeration of houses took place in 1782 and 1846, 99 out of every 100 houseowners were Roman Catholics. How could the hon. and learned Member with any face, then, say that ministers' money was not injurious to Roman Catholics, because it only pressed on the owners of houses? He trusted the House would force on the attention of the Government the necessity of removing an impost which was insulting and obnoxious to the Roman Catholic, while it did no good to the Protestant, and the removal of which would confer substantial benefit on the Established Church.

Mr. COWAN was glad to hear the obnoxious nature of the tax was admitted by Her Majesty's Government; and he was much disappointed, after the expectations which had been held out, that so little progress had been made in respect to the carrying out this question. Two years ago a Commission had been appointed to proceed to Edinburgh to inquire into the annuity tax of Edinburgh. A report had been given in about a year ago, and he had frequently put questions to the noble Lord on the subject, but had never obtained a satisfactory reply. If that House wished to secure the confidence and respect of the people of Scotland, they should proceed to inquire into the circumstances which were so grievous to the people of Edinburgh particularly.

Colonel RAWDON said, he was a member of the Established Church, and had a great veneration for the faith he professed; but he thought that the subject now under discussion resolved itself into one of justice, and that the House would be guilty of continuing an injustice if they exacted from the Roman Catholics, as they were doing, a tax for the support of Protestant clergymen. Some hon. Gentlemen on the opposition benches had recently signed a manifesto, headed by Lord Glengall, in which they promised to inquire into the various grievances of Ireland. This, then, was the time for testing their sincerity, for now they had an opportunity of inquiring into one of those grievances, without, at the same time, injuring the Church in any respect. He was sure that if the tax were abolished, other temporalities would easily be found, to afford the requisite stipend to the clergy, and therefore he should vote now, as he had voted in former years, in favour of the Motion of the hon. Member for Cork city.

Whereupon previous Question put, "That that Question be now put."

The House divided:—Ayes 76; Noes 96: Majority 20.

List of the Ayes.

Aglionby, H. A.
Anderson, A.
Armstrong, Sir A.
Barron, Sir H. W.
Bass, M. T.
Bouverie, hon. E. P.
Bright, J.
Brotherton, J.
Brown, W.
Castlereagh, Visct.
Caulfeild, J. M.
Clifford, H. M.
Cobden, A.
Corbally, M. E.
Cowan, C.
Drummond, H.
Ellice, E.
Ellis, J.
Evans, Sir De L.
Ewart, W.
Fergus, J.
Fortescue, hon. J. W.
Fox, W. J.
Gibson, rt. hon. T. M.
Grace, O. D. J.
Granger, T. C.
Grattan, H.
Greene, J.
Grenfell, C. P.
Hall, Sir B.
Harris, R.
Hastie, A.
Herbert, H. A.
Heyworth, L.
Horsman, E.
Hume, J.
Humphery, Ald.
Keating, R.
Keogh, W.
Kershaw, J.
Langston, J. H.
Lushington, C.
M'Cullagh, W. T.
M'Taggart, Sir J.
Meagher, T.
Melgund, Visct.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Muntz, G. F.
Norreys, Sir D. J
O'Connor, F.
Pearson, C.
Perfect, R.
Pilkington, J.
Pinney, W.
Power, N.
Rawdon, Col.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Scully, F.
Sheridan, R. B.
Sidney, Ald.
Smith, J. B.
Smythe, hon. G.
Somers, J. P.
Stanton, W. H.
Stuart, Lord D.
Sullivan, M.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Trelawney, J. S.
Wall, C. B.
Walmsley, Sir J.

TELLERS.

Fagan, W.
Power, Dr.

List of the Noes.

Abdy, T. N.
Adderley, C. B.
Anson, hon. Col.
Barnard, E. G.
Bateson, T.
Beresford, W.
Bernard, Visct.
Best, J.
Blair, S.
Blandford, Marq. of
Bowles, Adm.
Boyle, hon. Col.
Bramston, T. W.
Bremridge, R.
Bruce, C. L. C.
Buck, L. W.
Charteris, hon. F.
Chatterton, Col.
Christy, S.
Clerk, rt. hon. Sir G.
Cocks, T. S.
Cole, hon. H. A.
Compton, H. C.
Duncuft, J.
Du Pre, C. G.
Ebrington, Visct.
Elliot, hon. J. E.
Enfield, Visct.
Farrer, J.
Forbes, W.
Fordyce, A. D.
Fox, S. W. L.
Frewen, C. H.
Goulburn, rt. hon. H.
Greenall, G.
Grey, rt. hon. Sir G.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Hallyburton, Lord J. F.
Hamilton, G. A.
Hatchell, J.
Hawes, B.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heald, J.
Henley, J. W.
Herbert, rt. hon. S.
Hood, Sir A.
Jervis, Sir J.
Jocelyn, Visct.
Jones, Capt.
Knox, Col.
Labouchere, rt. hon. H.
Lacy, H. C.
Lascelles, hon. E.
Lascelles, hon. W. S.
Law, hon. C. E.
Legh, G. C.
Lewis, G. C.
Lindsay, hon. Col.
Lowther, H.
Maule, rt. hon. F.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, W.
Morison, Sir W.
Mullings, J. R.
Mundy, W.
Naas, Lord

Napier, J.
Packe, C. W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Patten, J. W.
Peel, rt. hon. Sir R.
Plowden, W. H. C.
Plumptre, J. P.
Portal, M.
Pusey, P.
Richards, R.
Russell, Lord J.
Sandars, G.
Smith, J. A.
Somerville, rt. hn. Sir W.
Spooner, R.
Stafford, A.
Stanley, E.
Tancred, H. W.
Verner, Sir W.
Verney, Sir H.
Watkins, Col. L.
Williamson, Sir H.
Wilson, J.
Young, Sir J.

TELLERS.
Grey, R. W.
Hill, Lord M.

TRANSPORTATION.

MR. ADDERLEY rose to move for leave to bring in a Bill to repeal part of the Act 5 George IV., relative to transportation of felons. He was not now about to raise the general question of transportation, or to propose anything which should lead to an abandonment of that mode of punishment. The object of his Motion was simply this, that when for the future it should be necessary to make choice of a new penal settlement (and by that he did not mean the revival of an old settlement, but the breaking of new ground), that choice should be made not by the Colonial Secretary, but by Act of Parliament. He desired to state at once to the House that his present proposal had been suggested by the recommendation of those great petitions from the Cape, which he had lately had the honour to present in this House, and which Lord Stanley had presented in the other House of Parliament, and supported with so much eloquence. Those large petitions, emanating from public meetings and municipalities in South Africa, not only prayed to be taken out of the category of penal settlements—they not only asked the revocation of the Order in Council making them so, but they prayed the repeal altogether of the Act of the 5th Geo. IV., enabling the Colonial Office to make any fresh penal settlements, and prayed further that the question should thereafter be left to the discretion of Parliament. The noble Earl at the head of the Colonial Department had, in the most frank and manly manner, acknowledged his error, and revoked the Order in Council, and he (Mr. Adderley) would be the last man to revive anything tending to resuscitate those feelings of irritation which had arisen in consequence of that Order in Council. He knew it might be said that, the inhabitants of the Cape having defended themselves from the danger of being made a penal settlement, they ought now to rest satisfied; but he was not of that opinion. At the same time, he had no doubt they were quite safe from the future infliction of any such wrong. Their conduct was so manly and spirited that they need not fear any future danger of that character; but other colonies were not so secure; and if that had been the first time, the inhabitants of the Cape might fairly hope it would be the last, on which they would be exposed to the hazard of being made a penal settlement. But it was not the first, nor the second, nor the third. When the noble Lord at the head of the Government, Lord Stanley, and the right hon. Gentleman the Member for the University of Oxford, were respectively at the head of the Colonial Office, attempts were made to convert the Cape into a penal settlement; and the occasion to which he now referred was the fourth time that a similar attempt had been made. True it was that attempt had been unsuccessful, but that very circumstance only rendered the situation of other colonies more unsafe. France might protect Guernsey and Jersey, and perhaps Canada could protect itself; but what should protect Jamaica, Ceylon, and the Mauritius, without some further guarantee with respect to the question of transportation? Now, only part of the Order in Council had been revoked. That part of the order with respect to the transportation of felons had been abolished, but the part bearing reference to the reception of military convicts had been retained. When it was proposed to send out military convicts to the Cape, it was known that Sir Harry Smith had spoken of the suggestion in terms sufficiently strong to bring down a sharp reprimand from the noble Lord at the head of the colonial department, who contended that a distinction should be drawn between military and other convicts. Now he (Mr. Adderley) could hardly understand this distinction; for although the Mutiny Act exposed military convicts to only certain punishments, and provided that they should be sent to fortresses and other places of confinement, they might not be so sent, or at all events on their release they were as likely to become scattered throughout the colonies as other convicts. Nothing could have been worse than the hasty and ill-considered changes made by the Colonial Office, or the mode of classifying convicts sentenced to transportation to the Cape; but he did not desire to cast the slightest reflection upon the noble Lord, who was to blame rather for the manner of carrying out the system than for originating it. The truth was, that it was from the department of the right hon. Gentleman the Home Secretary that the pressure came; for when an accumulation of convicts arose, the Colonial Secretary was expected to make provision for them. In an important correspondence which took place between Lord Stanley and Sir James Graham in 1842, the former had complained of the mixed and invidious duties thus thrust upon him, leading to a complication both of accounts and functions. Believing, therefore, that the Colonial Secretary was to blame rather for the process of the system than for its origin, far be it from him to intend this Motion as one of censure on the noble Earl. He had heard it said by Gentlemen out of doors, that this Motion trenched on the prerogative of Her Majesty; and therefore he was anxious to show that it would in no way have that effect. In the first place, transportation was no matter of prerogative whatever. It was unknown to the common law; it was simply a matter of statute; and the 39th Elizabeth was the first statute on the subject which empowered Her Majesty, with the advice of Her Privy Council—two Members of which were named, the Lord Chancellor and the Lord Treasurer—to name places within Her dominions to which rogues and vagabonds might be sent. But that Act, so far from recognising any prerogative of the Queen, showed that Parliament gave very limited and restricted powers to Her Majesty, naming what the Crown should not do as well as what it should do, and preventing any advantage from being taken under another Act, to bring Irish rogues into England on pretence of transportation. Therefore that Act of Elizabeth could not be considered a precedent for prerogative, but, on the contrary, was the strict limitation of a power conferred by Parliament. The next Act on the subject, excepting the Habeas Corpus Act (which merely incidentally alluded to transportation), was the 4th of George I. This Act was perhaps the strongest case he had in point, because it took the power entirely out of the hands of the Crown, leaving to Parliament the choice of the places to which convicts should be sent, for it stated that they should no longer be sent to the West Indies, but to America. And so strongly was that Act supposed to abolish the power of the Crown, that the next Act, an Act of the greatest importance on this subject, namely, the 19th of George III., revived the power, previously entirely abrogated, of the Crown, but only in a very limited manner. It gave the Crown the power, with the advice of the Privy Council, and also with the advice and co-operation of three sympathisers, to name and appoint the places beyond the seas to which felons should be sent. The next point elucidating this subject, was the question which arose in a debate in that House with regard to the independence of America, when America being closed against England as a field for transportation, it became a serious difficulty to know where this country should send her dangerous accumulation of felons. Very many places were suggested, the chief place proposed, however, being Sierra Leone; and Mr. Burke, in a famous speech, remonstrated against such an unhealthy climate, as there was no Act of Parliament allowing convicts, whatever their degree of criminality, to be sent to an unhealthy climate like that of Sierra Leone. This showed that Parliament had the power tc discuss and decide on what places should be adopted to send criminals to. And it appeared that the 19th George III. was repealed; for the next Act, the 24th George III., c. 56, ran in nearly the same language as the present Transportation Act, although with a very material difference, because the 24th George III., c. 56, only gave the Crown, with the advice of the Privy Council, the power of naming the place to which prisoners should be sent who were included in lists made out by the Judges of persons sentenced by them to transportation; but only to name the place for the prisoners specified in the Judges' lists, and no others. Three years afterwards the 27th George III. was passed, reciting the former Act, stating that under it New South Wales and Botany Bay had been selected for the transportation of two lists given in by the Judges. And it was important to observe, that Parliament found it necessary to pass a special Act to authorise a court of jurisdiction in New South Wales, that should carry on judicial proceedings in a more summary manner than the law had ever recogised before, doing away with trial by jury, and making a perpetual martial law hang over the colony, which it did for thirty years, until a brilliant debate in the House put an end to it, but not before the greatest damage had been done to our colonial system. The next Act was the present Transportation Act, under which the recent Order in Council had been made to constitute the Cape of Good Hope, amongst other colonies, a penal station. The 5th George IV., c. 84, only differed from the 24th George III., c. 56, in the fact, that it gave the Crown the power not only to name particular places to which criminals should be sent, but to name any places within our dominions, at any time, to which any felons or other criminals under sentence of transportation should be sent—in fact, to name any particular places within our dominions, and designate them permanently penal stations. To that Act it was he greatly objected, as most obnoxious in its operation to the colonists, and also injurious to the penal system of the country. If anybody thought he proposed an interference with the prerogative of the Crown, and held that there was an analogy between this power and the power of appointing places for gaols, he thought it might soon be seen that there was no such analogy. In the first place, Earl Grey, in his last despatch to the Cape, drew a distinction, and admitted the difference between the power to select particular places of confinement and the power to select places in which to distribute felons throughout a country at large, on tickets of leave. But further, when any place, such as Reigate or Portland, was to be selected for a place of confinement, to be supported either from the county rate or the Consolidated Fund, it must be established by special or general Act of Parliament; at all events, an Act of Parliament was always necessary to raise the funds and give the Crown the means of carrying the plan into effect. Therefore, the protection which he now wished to obtain for the colonies was enjoyed by the people at home—namely, that the power could not be exercised at a moment's notice, but must come regularly before Parliament, and allow time for the expression of public opinion before entering upon the exercise of such a power. He thought there could be no difficulty in proving to all those acquainted with the history of transportation for the last twelve years that there were good reasons for effecting a change in the present system. Experience too abundantly proved that the worst evil of the existing system was the disastrous uncertainty which it occasioned; and he really believed that it would be better to make a colony for a penal station, than to expose it to the uncertain chance of being suddenly fixed upon at any time for such a purpose. He would refer to the case of the Cape, as the best illustration of the evils of this uncertainty. In 1848, what with having transportation discontinued in New South Wales, and closed for two years in Van Diemen's Land, and having the establishment broken up at Norfolk Island, the perplexity of finding an outlet for our convicts became almost as great as at the independence of America; and the Home Secretary had to insist on the Colonial Secretary providing some means for relieving the gaols at home of their overcrowded inmates. A new system was consequently adopted, reflecting very great honour on those who advised it; and he thought the letter and the despatch written on the subject by the right hon. Baronet the Home Secretary, and by Earl Grey, showed the greatest statesmanship, ability, and goodness of heart. He would not now discuss the system, but merely point to the mode in which the Colonial Secretary had been compelled to act under the emergency. New South Wales, which had been recently abandoned, was again revived as the place most accustomed to transportation; Van Diemen's Land was again opened. But this was not enough; and the noble Lord, thinking the Cape a very quiet settlement, not well able to take care of itself, and with nobody else seeming to care for it, pitched upon it rather than select a larger colony, and one better adapted for his purpose, but which might be capable of resisting the experiment. An order was sent by Earl Grey to the Governor of the Cape to ascertain the feeling of the colony on the project; but before an answer could be received, intelligence reached this country that Bermuda was in such a condition that the Governor found it no longer possible to preserve discipline on his station. The emergency being so great, and there being no time for reflection, unfortunately for this country, Earl Grey, without waiting for an answer to the despatch he had sent to the Cape, immediately ordered a batch of 300 convicts from Bermuda to the Cape. It was certainly most unfortunate that the worst period—namely, between asking the consent of the colony and the arrival of its answer—was selected for taking this step. He would not go through the history of the rapid succession of events that followed—the unanimous opposition of the colonists at the Cape, and a resistance on their part which he thought redounded greatly to their honour—he need not mention how the unfortunate Governor, Sir Harry Smith, was made to pledge himself to the colonists that no convicts would be landed at the Cape without their consent, and in a few short weeks afterwards he found himself, as a military man, compelled to obey orders, and was made to appear to break his solemn pledge. He need not recount all the disastrous irritation that ensued, and the formation of a league among the colonists to resist the Government, all originating under the feeling that their confidence had been violated. He need not recount the disastrous shifting and changing of the Government in consequence—namely, that the Cape was first made a penal colony; afterwards, that such an intention was retracted; then it was said that this first batch of 300 convicts were all that would be sent; then it was attempted to be shown that they were a very innocent batch, and only Irish—only peasants—only of that description whose offence could hardly be called an offence; in fact, their offences were so diluted and so softened down, that at last one could hardly tell why on earth such persons should be transported at all, or what difference there was between them and free emigrants. At last, after all these miserable shifts and petty excuses, came what he thought most disastrous of all, namely, that flags of passive resistance were hoisted on mastheads, and ensigns displayed, teaching other colonies that when they had any grievance to complain of, they had only to resist the Home Government, and redress would be conceded. And look at the strong temptation to acts of tyranny which the position of the Colonial Secretary created. At this moment, what had Earl Grey done? He had not withdrawn the military convicts—they were at the Cape still. And why did he wait till November before ordering the convict ship off from the Cape? Because he actually had it in his mind up till that moment that it was possible the colonists, after being goaded and irritated for twelve months, might yield at last, and allow him to carry his point. The state of the Colonial Secretary's mind could be conceived by certain little incidental episodes. In the middle of all this discontent and agitation at the Cape, Earl Grey thought it right—or his officers thought it right, and he must answer for them—to enter into a correspondence with the Philanthropic Society, discussing the propriety of attempting to send juvenile convicts to South Africa, where the spawn of an older class of criminals might be stealthily deposited, and allowed to breed without observation. The fact of entertaining such a proposition while the Cape was in such an excited state as he had described, showed how the despotic and anomalous power of the Colonial Minister warped his mind, and rendered him utterly incapable of seeing what must be the natural consequence of such conduct. He would not trespass on the time of the House any longer; but he thought he had made out a case for an immediate alteration in the system of transportation to the colonies, and shown that it could easily be effected without trenching upon the prerogative of the Crown; and he therefore concluded by asking the House to repeal that portion of the existing Act which gave Her Majesty in Council the discretion of naming any colony to which convicts sentenced to transportation should be sent.

Motion made, and Question put—

> "That leave be given to bring in a Bill to repeal that part of the Act 5 Geo. IV. which empowers Her Majesty, with the advice of Her Privy Council, to appoint any places in Her Majesty's Dominions for the Transportation of Felons and others under sentence of punishment."

Mr. STAFFORD seconded the Motion.

Sir G. GREY said, the hon. Member for North Staffordshire had very truly stated his Motion to be a matter which concerned the Secretary of State for the Home Department rather than the Colonial Secretary; but he did not understand how the course he had taken, or the measures which he had proposed, could do other than increase their embarrassments in dealing with convicts under sentence of transportation. The hon. Member proposed to repeal the power given by statute to the Crown to fix places, under Orders in Council, to which convicts might be conveyed; but he did not propose any substitute for those places, except such substitutes as Parliament might hereafter name. The hon. Member proposed to repeal the clause in the Transportation Act, 5th of Geo. IV., cap. 84, which gave the Queen in Council the power of which he complained; but there were statutes imposing sentences of transportation, and which gave the judges as to some offences no discretion respecting the passing sentence of transportation beyond the seas. He would ask the hon. Member how it would be possible to carry these sentences into effect if the power now existing in the Crown to carry them out were taken away? This power of fixing the places of transportation had existed in the Crown under the powers conferred by Parliament ever since transportation had been known to the statute law of this country. And since the period when by the changes in the criminal code the punishment of transportation became the main secondary punishment of criminals in this country, it had been the more necessary that this power should exist to enable the Government to find the means of carrying into effect sentences of transportation. The hon. Member had rested his whole case upon the recent occurrences at the Cape of Good Hope, and had referred to them as the ground for complaining of what he had represented as the despotic use of the power vested in the Queen in Council. Now, he would not advert at any length to what had happened at the Cape, because last year he had stated the grounds upon which the Government had acted. But he would repeat, that the Government had never intended to enter into a contest with the inhabitants of that colony on the question, and had always proposed that if the opinion of the colonists were adverse to the reception of the convicts, their reception should not be insisted on. The hon. Gentleman stated that Sir H. Smith, in the course of these transactions, had violated his word. He (Sir G. Grey) did not know to what pledge the hon. Member referred. He stated that Sir Harry Smith had given the assurance that the convicts should not be landed; but he must be in possession of more information than himself (Sir G. Grey) if he said that Sir Harry Smith had violated any such promise. All who knew that distinguished officer would feel that he was utterly incapable of doing so. He believed the convicts had not been landed. The hon. Member might possibly refer to the military convicts; but military convicts, in fact, were not sent there under the Order in Council, but in virtue of the Mutiny Act.

Mr. ADDERLEY had said that Sir Harry Smith had been made to "appear" to have broken his word.

Sir G. GREY: The hon. Gentleman said the Cape had been made a penal settlement; but it did not follow because these convicts had been sent there that the colony had been made a penal settlement. Convicts were sent to Gibraltar, but that was not a penal settlement. Convicts were also sent to Bermuda. The hon. Member, however, might say, they were not sent there under the powers of the clause he wished to repeal. This was the fact, and if the clause in question should be repealed, there would still remain a power under the 13th section of the Act to keep convicts at hard labour in any colony as at present at Gibraltar and Bermuda. Convicts under sentence of transportation might be sent to those or any other colonies just as they might be sent to Woolwich or Portland, or any other place within the united kingdom, until they were otherwise disposed of. He did not wish to refer to the opposition made by the colonists at the Cape to the reception of the convicts further than to say, that although he could respect the feelings which made them opposed to the reception of convicts, he must not be understood to concur in the eulogy of the hon. Member with regard to the mode in which they had expressed their dissent. But when the hon. Member said that what had occurred at the Cape showed the absolute necessity for a change in the power now possessed by the Queen in Council, he (Sir G. Grey) thought a contrary inference might be drawn therefrom. If it were the fact, as stated by the hon. Gentleman, that a disposition existed on the part of the Government to exercise their power hastily and despotically, it was clear that there was a mode whereby that disposition might be counteracted. With the present rapid transmission of intelligence, whereby the complaints of a colony were heard in that House in almost as short a time as news could formerly be received from some portions of Her Majesty's dominions at home, no other precautions appeared to be necessary than those which now existed to secure attention in that House to the complaints of the colonies, and deference on the part of the Government to the feelings and wishes of the colonists. The change now proposed would take away from the Government the means of enforcing sentences of transportation; every one would concede that it was essential, if you had transportation at all, that the convicts when sent from this country should be dispersed as widely as possible. The evils principally complained of by the inhabitants of penal settlements had arisen from the excessive aggregation of convicts, which had produced the accumulation of vice and iniquity that the hon. Member had deprecated. If transportation were to be limited to one or two colonies, the convicts must necessarily be sent in masses, and when their sentences had expired, without the opportunity of applying reformatory discipline in the meantime, they would be dispersed as emancipists through these colonies, which the hon. Member was desirous of preserving from contamination. But, under the plan of the Government, when these convicts did go out, it would be after strict penal discipline at home, and under some restrictions, which would not prevent, but facilitate, their dispersion in the colonies. The hon. Gentleman himself admitted the difficulty in which the Colonial Office was placed in endeavouring to dispose of convicts; and he (Sir G. Grey) felt it of importance to warn the House against trifling with this subject, by requiring the judges and the courts of quarter-sessions to pass sentences of transportation, and then to take away the means of carrying out such sentences. Let the House look at what had taken place in Ireland. There was a popular delusion in that country that the crowded state of its gaols arose from the suspension of transportation as a punishment; and it was generally supposed that fewer convicts than usual had been removed during the last three years. That was not the fact. Transportation to Van Diemen's Land had been necessarily suspended for a time in 1846, and the best results had followed from checking the stream of transportation to that colony; at the same time increased numbers had been sent to Bermuda and Gibraltar, with a view to relieve the pressure here, and nearly the same number had been sent from Ireland as in former years, although they had not been sent to the Australian colonies; but a very great increase had taken place in the numbers sentenced in Ireland. In England the number of persons sentenced to transportation had not increased of late years. In 1844 the sentences of transportation upon male and female convicts were 3,357; in 1848 they were 3,296; and in 1849 they were reduced about 500 below the number in 1848, partly owing to the operation of the Act of last Session, which abolished the punishment of transportation in cases of a first conviction for simple larceny, and partly owing to the increased comforts of the people, which had much decreased the number of offences in populous parts of the country. But, while in England sentences of transportation had been reduced by about 500, as compared with last year, in Ireland a very great increase had been going on. The hon. Member had said, that from the accounts given of the convicts who had left Bermuda for the Cape, he hardly knew why they should have been transported. He (Sir G. Grey) was almost ashamed to say, also, that he hardly knew why sentence of transportation had been passed upon some of these persons. The very large number of persons sentenced to transportation in Ireland for larceny, was one of the strongest justifications of the Act which had taken away the punishment of transportation for simple larceny. In Ireland, in the year 1844, sentence of transportation was passed upon 709 persons; in 1845 the number was 627; in 1846, 708; in 1847, during which and the next year transportation to Van Diemen's Land was suspended, the number had increased to 2,208; in 1848 it was 2,729; in 1849, 3,039. This great increase in the number of Irish convicts occasioned much embarrassment as to their disposal. Offences in Ireland had increased very much during the three latter years, owing to the famine, and the Government felt it necessary for the protection of property, that many of the persons convicted of these offences and sentenced to transportation should be removed from the country. They were sent to Bermuda, and, although the convicts in the *Neptune* were not composed exclusively of the class to which he had just referred, they were so chiefly. There were other convicts in the ship, but they were all carefully selected as men whose good conduct had entitled them to indulgence. And this opinion was justified by their subsequent good conduct. They might not be acceptable to a colony that did not wish to have any convicts; but in Van Diemen's Land, and the other Australian colonies, he believed they would prove as valuable a class of colonists as many free emigrants who had gone from this country. They had, undoubtedly, been guilty of crimes against property, but they appeared to have been urged to them by the want and misery which large classes of the population endured during the famine. It was satisfactory to hear that crimes of this character had, within the last three or four months, very sensibly diminished. It might be necessary that a further reduction should be made in the offences for which sentence of transportation was now passed; but so long as Parliament maintained this punishment, he trusted they would not deprive the Government of the power of carrying these sentences into effect. The hon. Gentleman spoke of the power of fixing the place of transportation as having been exercised despotically by a Member of the Government, the Colonial Secretary; whereas it was the act of the Government collectively, being resolved upon in Council, and was never exercised by the Colonial Secretary upon his own responsibility. If the Motion of the hon. Gentleman was carried, it would increase tenfold the embarrassments already felt in connexion with transportation, and therefore, unless some stronger grounds than had been urged by the hon. Gentleman could be stated, he thought it would be highly impolitic that his Motion should receive the sanction of the House. In the case of the Cape of Good Hope, the Government had yielded, as they said they would yield, to the wishes of the colonists; and that being the only case on which the hon. Gentleman rested his Motion, he trusted that Parliament would not hastily adopt the suggestion which he had made.

Sir W. MOLESWORTH said, the question was whether the Colonial Office ought or ought not to possess the power of appointing places for the transportation of convicts? The hon. Gentleman the Member for North Staffordshire proposed to deprive it of that power; and he agreed in the Motion, thinking that the Colonial Office had proved itself not well qualified to exercise that power, and could not be safely entrusted with it. In proof of that proposition, it was only necessary to refer to the conduct of the present Colonial Secretary with regard to the Cape of Good Hope, and to read one of two despatches — either the despatch of Earl Grey, of the 30th of November, 1849, or that of Sir Harry Smith, of the 5th of September, 1849. From the latter, it appeared that on the 7th of August, 1848, the present Secretary of State for the Colonies sent a circular to certain colonies, offering them a certain description of convicts—ticket-of-leave men—as a boon, and stating that none should be sent unless the colony in question, especially the Cape, approved of their being so sent. And Sir Harry Smith was directed to take immediately the best means of ascertaining the feeling and opinion of the colony on the subject. Sir Harry Smith immediately brought the matter under the attention of the Legislative Council of the colony, and therefore made it known to all the colonists. In so doing, he pledged his word that no convicts should be sent to the Cape of Good Hope, unless their being so sent should be approved of by the majority of the colonists. Nevertheless, Earl Grey, without waiting for an answer to his despatch, informing him of the feeling of the people on the subject, determined on sending certain convicts to the colony. The hon. Gentleman opposite (the Member for North Staffordshire) said that Sir Harry Smith had broken his word; but the right hon. Baronet the Home Secretary denied that such had been the case.

Sir G. GREY: I understood the hon. Gentleman opposite that he was mistaken in that imputation.

Sir W. MOLESWORTH: What was the fact? It was literally true that Sir Harry Smith himself said he had been obliged to break his word. At page 4 of his despatch he used these words:—

> "This (the sending of convicts to the Cape of Good Hope) places me in a most delicate and painful position; having pledged myself in the Legislative Council to the colonists, upon the faith of your Lordship's despatch of the 7th of August, they naturally look up to me to fulfil that pledge, which it is now out of my power to do."

Therefore, he was compelled to violate this pledge; and what was the consequence? The colonists virtually rebelled, and then the convicts were sent away. The right hon. Baronet opposed the Motion, because it was easy to appeal to that House. But when did the House turn to these questions, and give redress to the colonists? Only when the question was between the rebellion of the colony and the withdrawal of the Government from their original intention. He regarded what had happened in the Cape as a great blow and cause of danger to our colonial empire; for it had told all the colonies, especially the southern colonies—"If you want to save yourselves from the tyranny and the power of the Colonial Office, your only means of so doing is to use threats and menaces." He was sorry to find that feeling extending in the southern colonies. Only a few days ago he had presented a petition signed by 6,000 persons in New South Wales, threatening to use every means to resist the revival of transportation, and stating in plain and distinct terms, that to persevere in sending convicts to that colony, would tend to sever their connexion with this country. And this was before they heard of the successful issue of the struggle at the Cape of Good Hope. He deplored anything which tended to produce a conviction in the colonists that their only means of obtaining redress from us was by proceeding to these extremities. But were they justified in averting or resisting transportation? Having paid much attention to the subject, and having sat two years on the Transportation Committee, he must say, that he could not conceive that any man of upright feeling, and father of a family, could ever consent to become a governor of a colony which was made a convict settlement. The consequences of transportation as evinced in the amount of crimes in New South Wales, were thus described in the report of the Committee on Transportation — a report which had been unanimously agreed to by some of our most distinguished statesmen, and which had gone out to all the colonies, telling them in plain terms what were the consequences of our system of transportation. That Committee, which sat in 1839, consisted of Lord J. Russell, Sir G. Grey, Mr. Hawes, Lord Howick, Sir R. Peel, Mr. C. Buller, and Viscount Ebrington. They said in their report—

> "It is difficult to form an adequate conception of the frightful degree of crime which the above tables express in New South Wales and Van Diemen's Land. Suffice it to say, that in proportion to the population of New South Wales, as compared with that of England, the number of convictions for highway robbery, including bushranging, exceeds, in proportion to the population, the total number of convictions for all offences in England; that rapes, murders, and attempts to murder, are as common in New South Wales as petty larcenies in England. In short, in order to give an idea of the amount of crime, let it be supposed that the 17,000 offenders who were last year (this was in 1839) tried and convicted in this country for various offences, before the several courts of assize and sessions, had all been condemned for capital crime — that, in addition, 7,000 had been executed, and the remainder transported for life—that, in addition, 120,000 other offenders had been convicted of the minor offences of forgery, sheep-stealing, and the like—then, in proportion to their respective populations, the state of crime and punishment in England and in the Australian colonies would have been precisely the same."

These statements having gone out on such authority, would any colony that had the means of resisting transportation abstain from doing so? The right hon. Baronet said, the Motion, if carried, would make transportation more difficult. If there were no other reason than that, he would gladly vote for it. Ever since he first brought this subject under the consideration of the House, he had been most anxious to abolish transportation. It was impossible to keep the colonies if the system of transportation continued. We had no right whatever to make the colonies our cesspools — to disburthen and cast away our crime upon them. Those which were strong enough to resist, and of English race, would never allow us to do so. Therefore, both because he thought the Colonial Office ought not to possess this power, and, as a step towards the abolition of transportation, he should most cheerfully vote for this Motion.

The ATTORNEY GENERAL said, the hon. Baronet the Member for Southwark had not spoken to the question immediately before the House, which was, not the propriety of abolishing transportation altogether, not the expediency of the conduct of the Government in reference to the Cape, but whether the House should take from the Crown the power now vested in it of defining the places of transportation by Order in Council, and make no provision for such places, but wait till the assent of the different colonies could be obtained, to know whether they could safely legislate to make them such places. The hon. Baronet was perfectly consistent in his course, for he had uniformly been an advocate of the total abolition of transportation; and, without considering what might be the insuperable difficulties which this Motion, if carried, would place in the way of the Government, or caring how they might be embarrassed, or what might be the result, he sought to achieve his favourite object of abolishing transportation altogether. Though he was perfectly consistent, yet this was not quite the opportunity for considering whether transportation should be abolished altogether, for they were discussing a Motion which admitted the necessity of transportation, but took away the power of the Government to fix the place. There was no Motion before the House, to discuss the principle of transportation generally, but merely to direct the power of the Crown; and the hon. Baronet sought to avail himself of this as a means of abolishing transportation altogether. If there was no better ground for adopting the Motion, the House, he apprehended, would pause before indirectly achieving an object of that description by a side-wind, and upon a collateral Motion. The hon. Mover had no such object. He sought to preserve transportation, and to give Parliament the power of fixing the places.

Mr. ADDERLEY: Only to name the place, providing it was a new one, leaving to the Government the responsibility of carrying out the arrangements, as at present.

The ATTORNEY GENERAL would come to that immediately. He would not now discuss the propriety of the conduct of the Government with respect to the Cape of Good Hope. There was no allegation that could be supported by any breach of faith on the part of either Sir Harry Smith or the Government. Government sent the convicts; they were never landed, for immediately the dissent of the colonists was properly intimated, orders were given to send them on. He would not enter on that subject; there were difficulties enough in the question itself. The hon. Member sought by his Motion to repeal part of the Acts of 5 & 6 Geo. IV., which empowered Her Majesty, with the advice of Her Privy Council, to appoint any places in Her Majesty's dominions for the transportation of felons and others under sentence of punishment. This would repeal all the orders so made under this Act, there being no provision for the continuance of those places which had been already appointed as places of transportation. The simple object of the Motion was to take away from the Crown the power of appointing these places by Order in Council. The hon. Member did not profess to touch the third section of the Act. [Mr. ADDERLEY: Yes, I do.] If the hon. Member does not, this state of things would occur. The Crown would no longer have the power of transporting to places where salutary control and means of reformation were offered, but would retain the power of confining convicts in ships, or buildings, or other places, where they were without the means of control or reformation, by employment on public works or otherwise. The consequence would be, as their terms of transportation expired, they would be set at large, and become free men, but more contaminated than before. But if the hon. Gentleman proposed to repeal the section he had referred to, what became of the reformatory processes at Woolwich, Parkhurst, and other places? This power was given by the same section which enabled the Crown to appoint places either at home or abroad for the reformation or control of prisoners under sentence of transportation. By repealing those statutes, and making no provision in lieu thereof, he would repeal the whole of those rules, and prevent the Government from employing prisoners at Woolwich or elsewhere. If it were proposed to take away the powers given both by the Act of 5 Geo. IV., and that of 24 Geo. III., he should object to it on several grounds. First, it was a direct violation of the prerogative of the Crown. On looking into the history of the matter, there could be no question that it was originally the prerogative of the Crown to define the place of transportation. Transportation, when first introduced, was not a punishment imposed by Act of Parliament, but a commutation of a higher sentence—that of death. The Crown had then the power of selling the labour of the prisoners to planters or others; and, accordingly, they were then sent to the West Indies. It was only in consequence of collusion on the part of those to whom the services of the prisoners were assigned, whereby the transportation was not actually carried into effect, that a statute was passed directing that transportation should not be to the West Indies, as formerly, but peremptorily to America. But to say that therefore the Crown had not the prerogative, and did not exercise it, was to deny the undoubted law of the country, and to aim a direct blow at the unquestionable prerogative of the Crown. When the system was abused, and when it was impossible for the Crown to carry its power into effect, it might have called in the aid of the Legislature to appoint permanent places of transportation; but that did not show that the prerogative was given up: on the other hand, it was recognised. When America ceased to be the place positively defined, the 24th George III. enabled the Crown to fix places; and, following the same principle, the 5th George IV. as positively and clearly vested in the prerogative the exercise of this power. To carry a measure of this sort, would be to infringe upon the prerogative. But what would be its effect? As soon as the Bill was introduced to Parliament, what was to happen until Parliament had settled the places of penal transportation? Did the hon. Member propose, by the same Bill, to ask Parliament to select some places? Certainly not. Did he suppose that, having repealed this power, it was the duty of the Government to collect from the different colonies their assent or disapprobation as to becoming penal settlements? Was it the duty of the Government to bring in a Bill for that purpose, to create public investigation and inquiry, and to excite what might not otherwise have arisen in the colony, general discontent? Did the hon. Member wish thus to prepare the colonies to dispute the authority of the Government when the Act was passed? Certain persons, from political or other motives, would be sure to object to the selection of particular places; and the intention of Parliament being circulated by the press, the colonists would thus be aroused. In enforcing a difficult power like this, the object was to conciliate as much as possible, not to excite discontent, by bringing a Bill into Parliament, getting up a discussion, and having a public report of it. The necessary consequence would be, the colonists would be informed of what was intended; and there was no place that would be content under any circumstances to be so selected. Suppose that either by the force of Government, or from imperfect information in the House, a statute had passed last Session making the Cape of Good Hope a penal settlement, and that Parliament had risen, as it did rise, just before the convicts were sent there. There would have been no power to retain the transports in the vessel, no power to repeal the order which the statute had pronounced—that the Cape should be a penal settlement; and the passive resistance which the hon. Gentleman so much commended, would no doubt have been fomented into rebellion. Thus the Government would have been prevented from calmly considering the question, and from yielding upon representation of the wishes of the colony; for if the matter was made to rest upon an Act of Parliament, all power of conciliation or of pausing was taken away. Had such an Act been passed, either from the force of Government in the House, or the want of attention and information in Parliament, declaring the Cape of Good Hope a penal settlement, the consequences would have been most serious. They could not but have sent the convicts there; more would have followed; they could not have withheld their landing; they could not have recalled the orders; the law of Parliament must have been obeyed. And what chance would the colonists have had for a calm and patient hearing of their grievances, if at the very time they made their complaints, it appeared they had been setting Parliament at defiance, by refusing to obey an order of the Imperial Legislature? It would have been impossible. To his mind these objections were insuperable. The Motion infringed the prerogative of the Crown, and repealed a statute without providing any means whatever for carrying into effect sentences of transportation. Those who, like the hon. Baronet the Member for Southwark, did not like transportation, and thought it fair to get rid of it by a side-wind, might vote for the Motion; those who did not think it a subject to be so lightly treated, and who did not think that the Government should be embarrassed in such a difficult matter by the introduction of extraneous topics, would concur in the view taken of the Motion by the right hon. Baronet the Home Secretary.

Mr. AGLIONBY agreed with the hon. and learned Gentleman the Attorney General that this was not the time to consider the system of transportation. It was too serious a question to be got rid of by a side-wind. It was a question which probably before long it would be necessary for the Government to have under consideration, and until the Government propounded their plan, it was desirable they should abstain from discussing it. With regard to what had fallen from the hon. and learned Gentleman as to the prerogative of the Crown, he (Mr. Aglionby) was not prepared to say that the prerogative of the Crown was in the slightest degree affected by this proposition; and his opinion was confirmed by high authority. Neither in *Blackstone* nor in *Burn's Justice* did he find a single remark to show that such would be the case. Transportation and exile were entirely unknown to the common law. They were statutable punishments. [An Hon. Member: How in the case of a commutation of capital punishments?] No doubt, if a person were condemned to be hanged, it was the prerogative of the Crown to grant mercy, and say, "You shall not be hanged, but shall be sent to another country;" but that was not transportation, that was commutation. He (Mr. Aglionby) repeated, that the punishment of exile was unknown at common law, and begged to call the attention of the House to the various Acts passed on the subject. It was quite apparent that the hon. and learned Gentleman the Attorney General was mistaken in supposing that no places would be left for transports if this measure were agreed to —that is, so long as transportation was allowed, for the Mover of the question said that the Bill did not interfere with any bygone description of places for transportation, and to such places so named transports should be sent until they were disallowed by Parliament. He said, let them guard against certain evils in future, by declaring that no such power should in future be vested in the Queen and Council; but if the Legislature wished to have any new places it would be competent for Parliament to name such additional places, and before Parliament named any place, the matter would be made more public than it could be if the decisions were made by the Privy Council. The hon. and learned Gentleman the Attorney General had asked what would be the effect if Parliament had made the Cape of Good Hope a penal colony, and what would have occurred while Parliament was not sitting. He (Mr. Aglionby) would say a much longer controversy—a much longer insurrection—he might even say a much longer rebellion than could have taken place during the recess of Parliament. He was not sure that before very long the attention of Government would not be called by the colonists themselves to the necessity of relieving them from being penal settlements; and though no Member now proposed to make a change, it would be the duty of the Government to say, we think we are in a wrong course, and will relieve some of those colonies from being places of transportation. The question now was, would they leave things as they were, or prevent them from getting worse, except by the sanction of Parliament; and, on considering that question, he felt it his duty to give his support to the hon. Gentleman who brought forward this Motion. He did so, because he was aware of the heartburnings and schisms that arose from those persons being sent to a colony. He had seen it tried in a modified shape, by sending a number of Parkhurst boys to New Zealand, and never was there so fatal or so baneful an effect produced. Everything showed that the experiment, however well intended, had totally failed. Even that diluted class of criminals had introduced crimes unknown there previously. When going amongst the natives, they introduced new crimes and new frauds; and there was one general system of crime from one end of the settlement to the other. There were protests made in the strongest manner even against those persons being sent out; and he thought, upon the whole, the state of the law was such that it ought to be amended.

Mr. LAW felt, unfortunately, that he could not support the Motion of his hon. Friend who had introduced this question to the House; but at the same time he felt that it might be a very proper course on the part of his hon. Friend, at some future time, to direct attention in a pointed manner to the question of transportation, unless the Government should by their own act bring the important question for decision before the House. If the general question of transportation were before the House, it would be proper to consider what aid should be given by Parliament to the Crown, in carrying out sentences, or what restraint should be imposed on the discretion of the Crown; but at the present stage the only question they had to ask themselves was this—would they fetter the discretion of the Government, who were called upon by the law to carry out in innumerable instances, the sentence that stood upon their Statute-book for transportation, and which could only be obeyed by the Government doing their best to distribute the persons who were the objects of that sentence of transportation in proper places, according to their discretion and upon their responsibility. He could not, in the present stage of the question, give his support to the Motion, but at the same time he thought his hon. and learned Friend the Attorney General had put this question rather too high as a matter of prerogative. It was perfectly true that the exercise of the power of the Crown in granting mercy on certain conditions amounted, in that sense, to the exercise of its highest prerogative; but transportation for many years was understood to be established by statute, because it was a punishment imposed by Act of Parliament, and to be carried out in the manner provided by Act of Parliament. He (Mr. Law) would be the last person to trespass on the prerogative of the Crown; but he felt there was very little weight in the argument of the Attorney General, though he was not at liberty to discuss the question. The very form of the sentence which till lately had been pronounced, uniformly reposed a discretion in the Crown — the sentence being, that the prisoner should be transported to such place as Her Majesty, with the advice of her Privy Council, should direct and appoint, thus leaving the place entirely in the discretion of the Executive Government. In many modern instances the sentence was not so set forth in the statutes, it being simply that the prisoner should be transported for a certain period. While he felt it his duty to withhold his support from the present Motion, he entreated the Government to bring forward some measure which should lead to a discussion in that House, in all its important bearings, of the important question of transportation. As far as his experience extended, he was satisfied that transportation was the only effective secondary punishment, and was the only remaining condition upon which the Legislature could, in its mercy, relax those severer punishments which no person called upon to administer justice could wish to see enforced. But while he was favourable to a system of transportation, he did not consider it a punishment that needed at all to involve the mischiefs which attended any peculiar administration of it, in consequence of the want of any well-digested system for its regulation. While the hon. Baronet the Member for Southwark expressed his determination to support any Motion which would be likely to put an end to the system of transportation, he (Mr. Law) would, on the contrary, not give his support to any which tended in the least degree to the abolition of a punishment which was necessary so long as they wished to preserve anything that would be a terror to the wrong-doer, and which would impose any restraint upon his conduct. If the Government would bring forward the measure in the manner he had taken the liberty to suggest, he felt assured that, instead of receiving anything like opposition, they would receive the thanks of every person who was interested in securing the safety of the public and the conviction of offenders, for their praiseworthy exertions.

Mr. HUME said, that while he was prepared to support the Motion of the hon. Member for North Staffordshire, he certainly dissented from the opinion of the hon. Baronet the Member for Southwark, who had expressed a desire to see transportation altogether abolished. But, while he was in favour of transportation as a means of punishment, he was anxious that the present system of carrying it out should be discontinued, and that it should not be carried on in defiance of the wishes of the colonies to which the convicts were sent. The recent events which had taken place at the Cape, showed, in his opinion, in the strongest manner, the folly of giving the power at present held by the Colonial Secretary to any one individual. If the Cape had been appointed by Act of Parliament as a place for the reception of the convicts, there would have been none of those large public meetings, or of those exciting and irritating acts, which had placed the colony in a state of almost actual rebellion against the Government of this country. What was sought by the Bill which his hon. Friend had now moved for leave to introduce, was simply that, in future, all penal settlements should be distinctly appointed by Act of Parliament, instead of being left in the discretion of the Colonial Secretary. The right hon. Baronet the Secretary of State for the Home Department had stated that it was a question in which the Cabinet was concerned, and not merely a question with the Colonial Secretary. Such, however, was not the case, for it was well known that all matters of this sort originated with the Colonial Secretary, and that if his suggestions were to be objected to by his colleagues, he would, of course, retire from his position. But the Cape was not the only place which had suffered from the indiscretion of the Colonial Secretary in these matters. The *Sydney Gazette*, which had arrived by the last mail, gave an account of the extraordinary feeling which prevailed at Sydney in consequence of the determination of the authorities to land some convicts almost at the mouth of the cannon. The Government House was placed almost in a state of siege, and five or six thousand persons met for the purpose of remonstrating on the subject. The resolutions passed at the different meetings were, however, totally unheeded by the Governor of the colony, and the convicts landed in defiance of them. Believing that some alteration was imperatively called for, he would give his cordial support to the Motion of his hon. Friend.

Lord J. RUSSELL said, that before the House came to a division on the subject, he would place fairly before the House the difficulties in which the Government were at present placed, and which, he thought, would not be at all diminished by the Motion which the hon. Member for North Staffordshire had brought forward. It was proposed to repeal a particular part of an Act of Parliament, whereby Her Majesty in Council was empowered to send transported convicts to certain places, according to Her Majesty's discretion, within Her own dominions. At the same time, it was not proposed by the hon. Gentleman to repeal other parts of a former Act, which conferred the same power, nor was it proposed to repeal the Act passed a few years since, which gave power to Her Majesty to send convicts to Gibraltar, and by which, also, transported convicts might be sent to work in any places within Her Majesty's dominions. If that was so, he could not very well see what object the hon. Gentleman had in view, except to show that this power had been abused, and, therefore, it ought to be taken away. Now, if that were his intention, he would submit to hon. Members that they were about to decide a very important question upon very insufficient data. Susposing that the hon. Gentleman had proved that the noble Lord at the head of the Colonial Office had been entirely mistaken in his conduct, in the administration of that power with respect to the Cape of Good Hope, it did not follow that, therefore, the power was one which ought not to exist. Or, supposing that the conduct was altogether wrong in that particular Secretary of State, it did not follow that other Secretaries of State might not make use of the power in a manner which the hon. Gentleman, and others, might think very useful to the country. It certainly did seem a very illogical consequence, that because a power had been badly exercised in one particular instance, therefore it was to be altogether abolished. With respect to the particular instance to which the hon. Member for North Staffordshire had alluded in the early part of his speech, namely, the great difficulties to which the Secretaries of State for the Colonies were subjected, he certainly could not have stated these difficulties too highly. But while the hon. Gentleman had those difficulties fully before him, he made no allowances for them. In the first place, then, the law of this country authorised the punishment of transportation, and the Judges and chairmen of the quarter-sessions condemned some 3,000 persons altogether, and, with those whose sentences were commuted, there were about 4,000 persons sentenced to be transported every year. If the Colonial Secretary, who was desired to take charge of these persons, sent them all to one particular colony, they found the greatest evils to result from the concentration of so many persons of a criminal character—a most horrible state of society existed, and representations were sent here which no Secretaries of State, or other persons, could hear or read of without wishing to redress. Then, if he said to other colonies, "We are very much embarrassed with this large number of convicts, and we wish to know if you are willing to receive them?"—instantly complaints of tyrannical conduct were made; and the hon. Baronet the Member for Southwark indignantly exclaimed, "Was there ever such tyranny before? Here is a Secretary of State asking the colonies if they have any objections to receive convicts! What tyranny it is!" The circular sent by the noble Lord the Secretary of the Colonies to the governors of the different colonies, stated that he should be glad if they would ascertain, in any manner which might appear most expedient to them, the opinions of the colonists with respect to the reception in the colonies of persons sentenced to transportation; and that if the feelings of the people should be found opposed to it, the necessary steps would be taken by the Government at home for excluding those colonies from the list of places to which convicts might be sent. Could anything be less arbitrary and tyrannical than that? The hon. Gentleman who had brought forward the Motion had stated that there was a great objection in the Cape to the reception of transported criminals in that colony; and it was stated by his noble Friend the Secretary for the Colonies that if such was the case, there was no intention of forcing them upon the colony. But there certainly did occur a case of very great embarrassment for the Government, and in which not only the noble Lord the Secretary for the Colonies was concerned, but also the Irish Government, and his hon. Friend the Secretary of State for the Home Department. The number of persons sentenced to transportation from Ireland had increased, in a few years, from about 700 to nearly 3,000. Many of those persons who had been so sentenced, and were sent to Bermuda, were really unfit for the hard work which was to be there performed. They were principally persons who, under the pressure of famine, had committed acts of theft, but who, under ordinary circumstances, would never, probably, have been brought before a court of justice. It appeared, after consultation upon the subject, that it might very possibly be the case, that if 300 of these persons could be sent to the Cape, they would inflict no great injury upon the Cape, and would enable us to send others, who were crowding the gaols in Ireland, to Bermuda. The noble Lord the Secretary of the Colonies had stated in his despatch, then before the House, that he was mistaken in his opinions with respect to the feelings of the colonists on the subject of the reception of the convicts, and regretted his error. Was there anything in this transaction, then, of so flagrant a character as to evince any wish to commit an act of tyranny in the colonies? He did not wish to go into the history of what had occurred in the colony of the Cape, because he thought that, although they were fully justified in saying, as they were invited to do, whether they wished the convicts to be sent there or not, still he thought that the manner in which the resistance to their reception was expressed, was one which did not reflect much honour upon those who were concerned. Sir Harry Smith stated, in one of his despatches—"The introduction of these convicts has been made a pretext for oppoing the Government;" and he (Lord J. Russell) had no doubt that he was correct in that opinion, and that there were persons who wished to found some "pretext" upon the introduction of those convicts for creating agitations, and who availed themselves of the convict question for that purpose. Sir Harry Smith, he thought, went very far to endeavour to conciliate the colonists, and went very far with their own feelings on the subject. He said—

> "Although I have been informed that this ship is to arrive, and my general instructions will be to land the convicts, still I do not propose to land them, but to keep the ships in which the convicts are sent until I receive further orders from the Government at home in what way I am to dispose of them."

He (Lord J. Russell) would have thought that its being declared in the colony that the Order in Council was not to be carried into effect for sending the convicts there, and that in future it was not to be a colony to which transports should be sent—that declaration having been made in the colony in April, and more formally in the despatch of Earl Grey in the same month—that Sir Harry Smith having declared that with respect to the 300 convicts who had been sent, they should not be landed till he received further orders from home—he would have thought that those persons who had nothing at heart but a wish to prevent the colony receiving the convicts, would have been satisfied by these declarations, one of the Government at home, and the other of the Governor of the colony. But upon the arrival of the despatches announcing the determination of the Government with respect to not forcing the convicts upon the colony, and deciding not to send any in future, the exertions became greater than ever. One gentleman even went to a public meeting, and asked was it to be borne that they were to be contaminated by seeing the *Neptune* in Simon's Bay, which they knew contained convicts on board? That was certainly going to an extent which he could scarcely understand. At that very moment the colonists had before them the sight of 300 convicts working on Robin's Island, and yet the sight of the ship anchored in Simon's Bay, which they knew contained convicts, was a contamination which their purity could not stand. Really, they did carry to a most extravagant length their indignation upon the subject. The hon. Gentleman opposite had chosen to raise this question, or he (Lord J. Russell) would not have been tempted to enter upon the subject. The Motion of the hon. Member was inexpedient; and even if he had proved his case with respect to the Cape, it would not have justified his Motion, which was inexpedient in itself, but, having failed to establish that, the House was doubly bound to reject the Motion.

MR. STANFORD wished, in giving his vote against the Motion of the hon. Member, to guard himself from any supposition that he was in favour of the abolition of transportation. He was only anxious, in the course which he adopted, to endeavour to bring about some beneficial alteration in the mode in which the system was at present carried out.

MR. ADDERLEY, in reply, said, that the numerous petitions which had been presented from the Cape, had suggested to him the propriety of bringing forward his Motion. Those petitions had emanated from the unanimous voice of the whole population of Southern Africa; and he considered that nothing could be better adapted to found his Motion upon than petitions of so weighty a character as those to which he had referred. With respect to the proceedings at the Cape, he merely used them as an illustration, and had no intention whatever of arguing from the particular to the general. If, however, more illustrations were required, they were to be found in the colonies of New South Wales, Norfolk Island, Van Diemen's Land, and every convict colony which had ever belonged to England since its first settlement in New South Wales. The noble Lord at the head of the Government had well maintained his reputation for chivalry for taking up the cudgels so manfully in favour of Earl Grey. Upon that subject he (Mr. Adderley) was well satisfied to leave it to the opinion of the country. The noble Lord had sneered at the people of the Cape for thinking that they would be contaminated by the sight of a shipful of convicts. It was not, however, the sight of the ship which they thought would contaminate them, but because they saw that ship kept there in the harbour for month after month, and could naturally only conclude that it was intended by the Government to land the cargo, despite all the promises which had been made upon the subject. That was what they were afraid of, and not the sight of the ship. It would probably be in the recollection of the noble Lord that a great debate took place upon one occasion in Massachusetts on the subject of farthings, and it was thrown in their teeth that they were making a great fuss about a few farthings. But it was not the farthings, it was the principle which was involved that gave rise to such long debates. In the same manner, the people at the Cape made a great piece of work about the *Neptune* in Simon's Bay, because the happiness and safety of their children and posterity were involved in the continuance of that ship in the bay. Every Member of the Government who had spoken on this subject had taken great credit to themselves for not landing the convicts, and said that they had kept their word, and had not landed them. Was there ever such a barefaced argument?—when they kept their ship with the convicts there for months together, and would have landed them if they could possibly have done so. They took advantage of the successful resistance of the Cape, and then turned round and said that they had kept their word. But it had been said by more than one hon Member of the Government, that they had no intention of forcing the convicts upon the Cape. If so, why did they keep the *Neptune* in the harbour till the month of November? Would any Member of the Government tell him, if there was no intention of forcing the convicts upon the Cape, why they kept them there all that time? Until that question was answered, the opinion of the country would be the very reverse of that just expressed by the noble Lord and his Colleagues. But the noble Lord also asked whether it was tyrannical to ask the colonies to receive the convicts? Certainly not. No person had said that it was; but the tyranny was in asking the colonists if they would have the convicts, and not waiting for their answer. The tyranny was to ask, and then send the convicts before an answer was given. Asking the question was no tyranny. With respect to the Motion before the House, the Government, he presumed, intended to refuse him permission to bring his Bill before the House, because the hon. and learned Attorney General had given sundry objections to another Bill, no more like the one which he (Mr. Adderley) proposed, than one thing could be like another. The hon and learned Gentleman had put a great many suggestions into his mouth which he (Mr. Adderley) had never made, and argued—very ably, no doubt—against his own suggestions. But it appeared to him (Mr. Adderley) that even if the hon. and learned Gentleman had completely answered his own arguments, that was barely a reason for the Government refusing him permission to lay his Bill upon the table of the House, and submit it to its judgment. Several hon. Gentlemen had expressed their intention of voting against the Motion for the introduction of the Bill, because the hon. Baronet the Member for Southwark had stated, that, in his judgment, it would lead to the abolition of transportation. Hon. Members were really meeting the subject as though it were a vote of confidence in the hon. Baronet the Member for Southwark, and because the hon. Baronet had said that such would be the effect of it, therefore they would vote against it. Why, it would be much more creditable to the House if hon. Members would allow the Bill to be brought in, so that they might have an opportunity for perusing it and deciding for themselves as to the effect it would be likely to have, without voting against its introduction in such a hand over head manner. He repudiated the idea that he was aiming a blow at transportation by a mere side-wind. He had no such intention. In his opinion the present system would very soon lead of itself to the abolition of transportation, and that too within a few months of the present time. He would risk his credit with the House if the common sense and judgment of the public would not soon lead to a total abolition of the present system. The hon. and learned Attorney General had made several suggestions with respect to the measure, which he (Mr. Adderley) had never suggested to the House. For instance, he supposed that the present proposal would narrow very much the present field of transportation. He had intended, before he brought in his Bill, to have had it very carefully submitted to the judgment of eminent members of the legal profession; but he would ask the hon. and learned Gentleman whether the repeal of those two clauses of the 5th George IV. would prevent any of the Judges from transporting felons to those places which the Queen in Council had already named as places to which felons could be sent? Would it not be equally as competent for the Judges—supposing the clauses were repealed to-day—to send to-morrow convicts to Norfolk Island, or Van Diemen's Land, as it was with these clauses unrepealed? If so, the argument of the hon. and learned Gentleman fell to the ground. The effect of his Bill would not be to narrow the ground by one solitary inch. They would have precisely the same opportunities as they now had for sending their convicts away. The sole effect of repealing those clauses would be, that when any new ground was required for transportation, it would be named by Parliament, instead of by an Order in Council; and the Government, knowing that such want existed, would bring a Bill into Parliament to authorise them to send convicts to any new place. With respect to any infringement of the prerogative by the proposed Bill, he thought, after what had already fallen from other hon. Members on both sides of the House, in answer to the statements of the hon. and learned Attorney General, it was unnecessary for him to detain the House by any remarks on the subject. The right hon. Gentleman the Secretary of State for the Home Department said, that the Secretary for the Colonies could retract what he had done, and that ought to satisfy the colonies.

Sir G. GREY observed, that what he had said was, that Her Majesty had power to revoke an Order in Council by another Order in Council, and he wished to know whether the hon. Gentleman meant to take that power away by the Bill which he proposed to introduce?

Mr. ADDERLEY said, that the argument of the right hon. Gentleman was, that the colonies ought to be satisfied with being made penal colonies, because the Queen had power by an Order in Council to revoke the order which made them so. He must say he did not agree in that view of the case. He did not mean by his Bill to strike a blow at the system of transportation, but to strengthen it. His proposition referred to new penal colonies—districts which were quite uninhabited. He said most sincerely that he had no intention to make this Motion a vote of censure on the Government, and therefore he thought it unfair that he should not be allowed to lay this Bill before the House.

Mr. ANSTEY rose amid loud cries of "Divide!" He had but one question to put to the hon. Gentleman, which would not occupy much time, before they proceeded to a division. He wished to put this question, because upon the answer which it should receive would depend his (Mr. Anstey's) vote. Some observations, in the reply of the hon. Member who introduced the Bill, led him (Mr. Anstey) to infer that the object of the Bill would be to prevent Her Majesty's Government sending convicts to the colonies which they had already determined upon not sending them to, but, instead, to deluge the other colonies with them. Was that the intention of the Bill or not? Perhaps it might be otherwise. Did the hon. Gentleman mean to move the abolition of transportation altogether, and to provide a substitute, as in that case he (Mr. Anstey) would be prepared to support him? Or, did his Bill go to abolish transportation in some colonies to the detriment of others—say Van Diemen's Land—which altogether were certain to be ruined and demoralised?

Mr. ADDERLEY regretted the hon. Member had not been present during the debate, as, had he been, he would clearly have perceived that his Bill intended nothing at all supposed by the hon. Gentleman.

The House divided:—Ayes 32; Noes 110: Majority 78.

List of the Ayes.

Aglionby, H. A.
Baillie, H. J.
Baring, hon. F.
Best, J.
Blair, S.
Chatterton, Col.
Christy, S.
Cobden, R.
Cocks, T. S.
Filmer, Sir E.
Fox, W. J.
Fuller, A. E.
Gooch, E. S.
Greene, J.
Halsey, T. P.
Hervey, Lord A.
Hume, J.
Keating, R.
Lewisham, Visct.
Lushington, C.
Molesworth, Sir W.
Mundy, W.
Muntz, G. F.
Naas, Lord
Napier, J.
Prime, R.
Salwey, Col.
Scholefield, W.
Simeon, J.
Sullivan, M.
Verner, Sir W.
Walmsley, Sir J.

TELLERS.
Adderley, C. B.
Stafford, A.

List of the Noes.

Abdy, T. N.
Alcock, T.
Anstey, T. C.
Armstrong, Sir A.
Baines, rt. hon. M. T.
Baring, rt. hon. Sir F.T.
Barnard, E. G.
Bass, M. T.
Bellew, R. M.
Berkeley, Adm.
Boldero, H. G.
Bouverie, hon. E. P.
Brockman, E. D.
Brotherton, J.
Brown, W.
Caulfeild, J. M.
Childers, J. W.
Clay, J.

Clerk, rt. hon. Sir G.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Drumlanrig, Visct.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Ebrington, Visct.
Ellis, J.
Elliot, hon. J. E.
Evans, Sir De L.
Evans, J.
Fagan, W.
Ferguson, Sir R. A.
Fordyce, A. D.
French, F.
Frewen, C. H.
Goulburn, rt. hon. H.
Greenall, G.
Grey, rt. hon. Sir G.
Hatchell, J.
Hawes, B.
Hayes, Sir E.
Hayter, rt. hon. W. G.
Heald, J.
Heathcoat, J.
Henley, J. W.
Herbert, rt. hon. S.
Heywood, J.
Hobhouse, rt. hon. Sir J.
Hood, Sir A.
Howard, Lord E.
Jervis, Sir J.
Keogh, W.
Labouchere, rt. hon. H.
Lascelles, hon. E.
Lascelles, hon. W. S.
Law, hon. C. E.
Lennox, Lord H. G.
Lewis, G. C.
Littleton, hon. E. R.
Lockhart, W.
M'Taggart, Sir J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milnes, R. M.
Moffatt, G.
Monsell, W.
Moody, C. A.
Mulgrave, Earl of
Norreys, Sir D. J.
Pakington, Sir J.
Parker, J.
Peel, rt. hon. Sir R.
Perfect, R.
Plowden, W. H. C.
Plumptre, J. P.
Power, Dr.
Power, N.
Pusey, P.
Rawdon, Col.
Romilly, Sir J.
Russell, Lord J.
Scrope, G. P.
Scully, F.
Seymour, Lord
Sidney, Ald.
Smith, rt. hon. R. V.
Smith, J. A.
Somerville, rt. hn. Sir W.
Stanford, J. F.
Stanton, W. H.
Talbot, C. R. M.
Tennent, R. J.
Thompson, Col.
Thornely, T.
Trelawny, J. S.
Tufnell, H.
Vane, Lord H.
Verney, Sir H.
Wall, C. B.
Wellesley, Lord C.
Willcox, B. M.
Wilson, J.
Wilson, M.
Wood, W. P.
Wyvill, M.
Young, Sir J.

TELLERS.
Grey, R. W.
Hill, Lord M.

The House adjourned at Ten o'clock.

HOUSE OF LORDS,

Friday, February 15, 1850.

OUTRAGES IN EMIGRANT SHIPS.

The Earl of MOUNTCASHELL, in pursuance of the notice which he had given, rose to inquire whether the Government had received any communications relative to the ill-treatment of the emigrants on board the bark *Indian*, destined for Port Adelaide, South Australia? He had seen—as he had no doubt many of their Lordships had seen—in the *Morning Post* a statement regarding this emigrant vessel, which, in the course of last year, had sailed, with 182 emigrants on board, to Australia. Amongst those emigrants were married, and many unmarried, women. It appeared that the treatment to which these women were exposed during the voyage was of so gross and scandalous a character, that, on their arrival at Adelaide, their friends called, by advertisement, a public meeting, at which a great number of emigrants themselves were present. The chairman stated generally to the meeting the gross and shameful usage which the emigrants, particularly the females, had experienced, owing to the remissness of the captain, and the disgraceful conduct of the second mate, the surgeon, and the steward, by whom the vessel had been converted into a sink of iniquity worse than any brothel in London. The second mate, in his drunken fits, had forced himself into the cabins of the female passengers, and had committed the most revolting debaucheries with those who admitted, and had been guilty of great cruelty and violence towards those who stood firm against, his advances. One innocent young woman, who resisted his proposals, and complained of his conduct to the captain, was taken upon deck, and buckets of water were thrown upon her. One of the male passengers, who stood up in her defence, was grossly insulted. Violence was exhibited towards all who stood up for her protection; and the captain informed her that, if she made a second complaint of the conduct of his officers, she should be placed in confinement. The only officer on board the ship who acted in a proper and becoming manner was Mr. Davis, the first mate; all the rest acted most shamefully. He called the attention of Her Majesty's Ministers to these outrageous transactions, because it was very important that some measures should be adopted to prevent the recurrence of them. He had been informed that a society had been recently established in London, by which a large sum had been subscribed by benevolent individuals, for the purpose of aiding distressed women to emigrate to our colonies. Now, after the publication of such a statement as that of which he had given their Lordships the substance, was it likely that any virtuous and well-conducted woman would trust herself on board of a vessel if she was not sure of protection? He was sorry to say that this was not an isolated case, for he had heard of other vessels where similar profligacy had prevailed, although the outrageous conduct of the officers and crew had not been made public. Besides the reasons which he had already mentioned, there was another which induced him to bring this abominable state of things under the notice of Parliament. During the course of last summer, the Poor Law Commissioners in England and Ireland had sent to the different boards of guardians in both countries circulars inquiring whether they had, in their respective districts, any poor, but well-conducted, girls who were willing to emigrate. Many such young women were selected in both countries, and several from the union with which he was connected. Now, if there were to be no protection offered to these friendless young women, either by the captain, or the mates, or the other officers of the emigrant vessels in which they had embarked, and if the matron were to be reduced to a mere cypher, and left without any power, it must be productive of the greatest evil. It also appeared, from statements made at the meeting at Adelaide, that, in contravention of the express provisions of the Passengers' Acts, spirits had been publicly sold on board of this vessel, though there was a heavy penalty affixed to every distinct offence of that sort; and that it was in and after the drunken revelries of the officers that these atrocious assaults on unprotected women were generally attempted. In contravention of another provision of the same Act, it appeared that the proper quantity of water and of food allotted to each passenger, had been systematically kept from them; and that, in consequence, they had been obliged to live on short commons during the greater part of their long voyage. Memorials on this subject, he understood, had been sent both to the noble Secretary for the Colonies, and to his right hon. relative the Secretary for the Home Department. He wished to know whether those memorials had been received, and, if so, what were the steps which Government intended to take upon them?

Earl GREY, in reply to the question of the noble Earl, said, that no official communication on this subject had yet been received by Her Majesty's Government. In a newspaper, however, from the colony, which had been recently received in this country overland from India, and of a later date than the last official despatches, he had seen an account of the outrages to which the noble Earl had referred. From that newspaper it appeared that allegations of the existence of very serious abuses on board of this emigrant vessel had been preferred at a public meeting in the colony. Those allegations were now under the investigation of the colonial government, and he could assure the noble Earl that it would be strictly carried on not only by the colonial government but by the Government at home; and that, if abuses had taken place, those who had been guilty of them had incurred, and should be made subject to, the severest penalties of the law. Not only were the officers of the vessel liable to severe penalties under the Passengers' Acts for any abuses committed during the voyage, but the shipowners also would not escape from them. The Emigration Commissioners, by virtue of the contracts which they had made with the shipowners, were entitled to hold back a large portion of the passage-money paid for these emigrants in case any abuses took place on board their vessels. He informed their Lordships that whenever abuses had taken place, the Emigration Commissioners had not hesitated to exercise the power vested in them. When the noble Earl stated that the present was not a solitary case of abuse, but that there were many others which had not come before the public, he appeared to him (Earl Grey) to be, if not wholly uninformed, at least very nearly so. He (Earl Grey) appealed to those noble Lords who had read the papers recently laid on the table on the subject of emigration, whether they did not contain satisfactory proofs both of the pains and of the success with which the Emigration Commissioners had exerted themselves to check abuses of this kind. He need not say that cases of abuse must sometimes occur; but he could assure the noble Earl that, whenever they did occur, they should not, as far as he (Earl Grey) was concerned, pass unpunished. For the conduct of the officers of the ship the Emigration Commissioners were not responsible, for the officers were selected by the shipowners; but the Commissioners had this check upon the shipowners, that they could deprive them of a large portion of the passage-money, in case they appointed officers who either committed themselves or sanctioned abuses in others. In one case, he had himself directed the Emigration Commissioners to enforce the whole amount of the forfeiture on the shipowners, and the Emigration Commissioners had in consequence withheld from them 500*l.*, to which they would have been otherwise entitled. The surgeon of the vessel was under the control of the Commissioners; but, as no great remuneration was offered to the surgeons of emigrant vessels, there was some difficulty in getting competent persons to act in that capacity. In a great majority of cases, however, the surgeons had performed their duty very admirably. In the present case, the surgeon had been very hastily appointed, in consequence of a very serious illness which had suddenly attacked the surgeon previously appointed. [The Earl of MOUNTCASHELL: Mr. Sandford?] Yes, and looking at the testimonials upon which he had received his appointment, he must say that they were sufficiently strong to justify the Emigration Commissioners in sanctioning it. The noble Earl had referred to other instances of abuse which, he alleged, had occurred in the case of female emigrants from Ireland. Generally speaking, the female emigrants from Ireland had turned out well; but in one case great abuses had occurred, not indeed on the part of the officers of the vessel which carried them out, but in consequence of the gross deceit which had been practised on the Emigration Commissioners by parties in Ireland as to the character of the women embarked. The poor-law guardians, for some reason or other, allowed other women, especially women from the town of Belfast, to be sent on board instead of those of whose good character they had given testimonials. This was almost the only case of abuse with which he was acquainted. As soon as the information reached him, he took care that more caution should be exercised by the authorities in Ireland. He readily admitted to the noble Earl that in conducting emigration to so distant a quarter of the globe, the difficulty of guarding against abuses was very great; but, on the other hand, he assured him that no effort had been, and that no effort would be, spared to guard against them. So far as the Emigration Commissioners were concerned, emigration was conducted with as little abuse as possible.

The EARL of MOUNTCASHELL said, that he was very glad to hear the statement of the noble Earl, which he thought would produce the most beneficial results.

Subject at an end.

NATIONAL EDUCATION—THE MANAGEMENT CLAUSES.

LORD STANLEY wished to put a question with regard to a portion of the proceedings of the Committee of Council on Education, which was regarded with considerable interest, especially by clergymen of the Church of England. He would not enter into a discussion of the merits of the Committee itself, or of any part of its proceedings; but there was one point upon which there appeared to be a general misunderstanding and doubt, as to a matter of fact, and, as it led to a controversy between the National Society and the Government, it ought at once to be set right. He, therefore, took the liberty of referring to that one point. It would be in their Lordships' recollection, that up to the year 1846, or during the early period of the existence of the Committee, the Parliamentary grants which were disbursed by them were exclusively for the erection and building of schools, and all negotations before the years 1839 and 1840, had reference to grants for building purposes. Subsequently, the objects of the Committee, with the means at its disposal, were much extended, and the grants for building purposes became subsidiary, and, during the last two years, wholly secondary objects; and a great portion of the funds was given for the maintenance of certain schools, and for supplying, upon the reports of Government inspectors, premiums to teachers and pupils. Ultimately, the management clauses were introduced, and their adoption was made a necessary preliminary to the acceptance of aid from the public funds. Those management clauses were objectionable to the Church schools, and, in consequence, they had been debarred from any participation in the grant. However, within the last few days he had seen a pamphlet which, although not written from authority, evidently showed the author was well acquainted with the subject; and, in the postscript at the end of the pamphlet, there was a statement to the effect that the requiring of the adoption of the management clauses, as a condition for obtaining Government pecuniary assistance, did not apply to those subsequent objects—the maintenance of the schools, and the premiums to pupils and teachers, but was applicable only to the case of schools hereafter to be erected, and then, in their case, only as far as regarded the building of them; that schools already erected, or hereafter to be erected, whether they adopted the management clauses or not, would be entitled to the aid of Government in other respects, on the condition of submitting to Government inspection. It was important to know whether that statement was correct or not; whether, according to the pamphlet, schools, independent of the adoption or otherwise of the management clauses, should participate in the advantages of the public grant?

The MARQUESS of LANSDOWNE would follow the noble Lord's example in not entering upon any discussion of the general subject. In reply to the noble Lord, he must be allowed to say that the pamphlet, though written with ability, was the production of an individual clergyman, published without any sort of authority whatever. The appearance, however, of that pamphlet would naturally suggest to the noble Lord the inquiry as to the matter of fact; and, in answer, he had to inform him that the statement applied to a state of things which had not yet actually arisen. He could not find that any case of an application for an annual allowance, on the part of schools submitting to the Government inspection, and not receiving a grant, had occurred. He could not find either that any case bearing the least analogy had occurred; therefore, all he could say was, that the rules and regulations relating to the management clauses had been adopted, after much deliberation, and after strong recommendations, with some modifications, with a view to giving satisfaction to the members of the Church of England; but there was no reason why they should not receive applications from schools which had been erected without any assistance from the public funds. At the same time, as it was obvious that schools erected before those management clauses were adopted, had received aid, there was no rule adopted which should prevent the Committee from considering any application that should be made by schools which had not been erected by assistance from Government, for further assistance administered in the shape of an allowance for premiums to teachers and pupils.

ENCUMBERED ESTATES (IRELAND).

The EARL of GLENGALL moved for—

> "A Return from the Commissioners of the Court of Incumbered Estates, Ireland, stating the Number of Petitions lodged in their Court to this Date, the Total Rental of the Property in each case proposed to be sold, and the Gross Amount of Incumbrances stated to be chargeable thereon."

He considered it most essential that their Lordships should have the information which this return would afford. Last Session an Act was passed, which had been pronounced an arbitrary measure in that House, but which he called unconstitutional, and he had seen no reason to change his opinion of its character. Deep sensation had been created in every part of Ireland at the vast amount of property which this Act had brought under the control of the Commissioners appointed to execute it. No fewer than 420 petitions had already been lodged in the court, involving a rental of nearly 1,500,000*l.*, and the interests of 80,000 creditors. All these interests were, therefore, placed in jeopardy; and when the extreme depreciation of property and produce was taken into consideration, it could not be surprising that the deepest interest was felt in the proceedings of the court. It had been reported, and he wished to be informed if the report was true, that it was the intention of the Commissioners to proceed to sales whatever might be the result of the auction. He had indeed heard that they had declared they would sell any property, provided seven years' purchase was offered. Whether this statement was true or not, he did not pretend to say, but certainly it was so reported; and he had been requested to ask Her Majesty's Government whether such was or was not the decision of the Commissioners. A vast quantity of land was now for sale in Ireland, and if the Commissioners sold for anything like seven, or ten, or twelve years' purchase, it was manifest the owners must be ruined. A sale under such circumstances would, in point of fact, amount to a direct and wholesale confiscation; and he trusted Her Majesty's Government would not consent to allow such proceedings to take effect. A state of things somewhat similar to the present occurred during the rebellion of 1798, when Lord Clare was Lord Chancellor of Ireland. A great amount of landed property came into the Court of Chancery, and it was proposed to sell it; Lord Clare, however, distinctly refused to make decrees for the sale of those estates, because he knew that a sale under such circumstances would deprive the owners and their creditors of all their property. He, therefore, held the decrees over, and in the course of the following year property resumed its former value, on which the mortgagees, who had been anxious to sell, were perfectly satisfied to allow their money to remain upon the land as before. In common justice, then, he hoped that sales, such as those to which he referred, would not be allowed to proceed; for, he repeated, they amounted to downright robbery. At all events, he hoped no sale would be made until something like a fair value was offered. He wished to ask the noble Marquess whether it was true that the Commissioners had decided that property should be sold for less than seven years' purchase.

The MARQUESS of LANSDOWNE, in reply to the question of the noble Earl, begged that he would understand that he (the Marquess of Lansdowne) did not represent the Commissioners of Encumbered Estates, and that he did not feel himself authorised to state the views which they had laid down for their course of action in the exercise of the very large discretion which Parliament had reposed in them last Session. But he had no hesitation in saying, that the Commissioners had not adopted any such rule as the noble Earl had supposed; on the contrary, he should rather say that they had expressly guarded themselves against the adoption of any such rule. He drew this conclusion from the spirit of their proceedings. In conclusion, the noble Marquess said he had no objection to the Motion of the noble Earl, after certain verbal alterations, which he suggested should have been made in it.

The EARL of MOUNTCASHELL reminded their Lordships that when the Encumbered Estates Bill was before them in the last Session, the noble Marquess the President of the Council had stated that great care should be taken that a vast mass of land should not be thrown into the market at one time; but the result of the Bill had been that great quantities of land had been simultaneously thrown into the market, and the price had in consequence been very much reduced. In his opinion, the greatest care should be taken in carrying out the provisions of the Act, that property should not be sacrificed.

The MARQUESS of LANSDOWNE explained, that when the Act was under consideration last Session, a hope was expressed in relation to the manner in which the Commissioners would exercise their discretion; but he was not aware of any pledge having been given. He was perfectly assured that the spirit which animated the Commissioners was such as he had endeavoured to describe; and when the noble Earl spoke of land being depreciated by being thrown upon the market, he would only remind him that the operation of the Act would, upon the whole, enhance its value.

LORD BEAUMONT was afraid that the Motion of the noble Earl would tend to produce the very evils which he wished to avert. If the returns for which he had moved were produced, they would make it appear to the public that an enormous mass of property was about to be disposed of; and if that knowledge were not accompanied by the information that a rule had been adopted by the court that only a certain quantity of land should be placed in the market at one time, of course the natural impression amongst persons who were inclined to bid would be, that, from the immense quantity of land thus thrown into the market, prices must necessarily be lowered. The public would draw their inferences from the return moved for, and finding these orders of the court for the sale of real property to so large an amount, would not think of competing for the lots about to be put up to auction. Purchasers would bide their time, and speculators calculate on lower prices. There would be no competition. He thought the Motion was, therefore, ill-advised, and dangerous to the value of Irish land. He confessed that he was quite alarmed at the number of petitions which had been already lodged in the Commissioners' Court, and the reported amount of property that would soon be in its hands. Still, notwithstanding that circumstance, he could not imagine that it would be in accordance with a sense of justice, either to the landowners or the puisne creditors, that they should throw all that land into the market at once. No land should be disposed of unless there was competition in the market; for though he knew there were certain grounds for expecting that the price of land would never rise to what it was formerly, he was far from desponding on that subject, and he firmly believed, and if he had time he could show ample reasons for the belief, that the value of land would again rise, if not actually to its former value, yet to something very near that amount, and that would be the case in Ireland as well as in this country. With this conviction on his mind, he trusted the Commissioners would defer sales till such period as the land would reach its fair and proper value. Let it therefore be known that the object of the Act was not to glut the market, and thus bring down the price of land, but to facilitate the transfer, and give the purchaser a good title when the state of the market and the demand for land made it desirable that deeply encumbered estates should be sold.

LORD CAMPBELL expressed an earnest hope that the observations of his noble Friend (Lord Beaumont) would be published all over England and Ireland; for, if so, they would have a tendency to raise the price of land in both countries. He reminded their Lordships that these Commissioners were judges, and that they were invested with large discretionary powers. The noble Marquess would not be authorised in stating what they intended to do; but he (Lord Campbell) believed that they would exercise their jurisdiction in such a manner as would prove not only creditable to themselves, but also highly beneficial to the owners of encumbered estates, and to their mortgagees.

The EARL of GLENGALL believed the Commissioners intended to act with perfect justice; but as they were bound to make a report of their proceedings within one month after the meeting of Parliament, he hoped their report would embrace a copy of all their rules and regulations.

The MARQUESS of LANSDOWNE said, the Commissioners knew perfectly well they were entrusted with very large powers; and he believed their discretion would be so exercised as to prevent an undue accumulation of land in the market.

On Question, agreed to.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, February 15, 1850.

MINUTES.] PUBLIC BILLS.—1° Civil Bill (Boroughs) Ireland; Mercantile Marine; Merchant Seamen's Fund; Merchant Shipping.

2° Party Processions (Ireland); Court of Chancery (Ireland).

BOARD OF TRADE RETURNS.

MR. DISRAELI said, he should take that occasion to put the questions to the right hon. Gentleman the President of the Board of Trade, of which he had given notice on the preceding day, with regard to the returns given to the House by the department over which the right hon. Gentleman presided. He wished to receive some information from the right hon. Gentleman as to the cause of the delay that had taken place in furnishing these returns. They were now in the middle of the month of February, and yet the monthly return for December had not yet been circulated, while the general summary for the year had only been printed that morning. There was also another publication of the Board of Trade to which he begged to call the right hon. Gentleman's attention. He alluded to the digested returns, called tables, relating to the revenue, trade, and commerce of the country. They had recently had an additional volume delivered to them, but still the House was only in possession of the returns relating to the trade and commerce of the country up to the year 1847, the present being the year of our Lord 1850. He wanted to know from the right hon. Gentleman what use Her Majesty's Ministers supposed that returns of so distant a date could be to the House, and whether no means could be devised by which returns of so much importance might be carried down to a more recent period? He should also like to know the cause of the delay that had thus taken place, and whether it proceeded from a want of sufficient hands to prepare the information that was in their possession; and if so, why they had been favoured in preference with a volume a few days ago, abounding in information of a peculiar nature, but not possessing the importance of the matter to which he had alluded; as, for instance, the number of summonses issued against spirit shops in the city of Dublin, or the number and conduct of the temperance coffee shops of Dublin.

MR. LABOUCHERE: Is the hon. Gentleman now alluding to returns furnished by the Board of Trade?

MR. DISRAELI said that he was, and he was glad to have called the right hon. Gentleman's attention to a matter connected with his own department, of which he had been ignorant. The volume also contained a list of the brothels in Manchester, while returns of the utmost importance connected with the trade and commerce of the country were withheld—the most recently furnished being, as he had already observed, only down to the year 1847.

MR. LABOUCHERE said, that with the exception of the last question, the hon. Member had been good enough to give him notice of the nature of the information which he required. The first two questions related to the delay which the hon. Gentleman alleged had taken place in the returns furnished by the Board of Trade. He could assure the hon. Gentleman that he was under a misapprehension if he supposed that any delay had taken place this year as compared with preceding years. On the contrary, he had had the curiosity to ask for an account of the date of presenting these returns in past years, and he found that ever since 1835 there was but one year in which the returns had not been presented later than in the present year. This year the annual summary had been laid on the table on the 11th of February, which was earlier than the date in every other year, with the exception of 1842, when the returns were made on the 11th of February also, but they were then found to be so inaccurate that they had to be withdrawn, and a more correct return made out. He could assure the hon. Gentleman that this delay did not rest with the Board of Trade alone. They had to wait until they received the returns from the different departments, and their duty was to prepare them afterwards for the House. Both his right hon. Friend the Chancellor of the Exchequer and himself were most anxious that as little delay as possible should take place, and they had both written to the Board of Customs to stimulate them to increased haste; and as an additional proof that the delay had not taken place in the Board of Trade, he might add that it was only on yesterday that the Excise accounts had been forwarded to them. The hon. Gentleman had also asked why the digested accounts, which generally went by the name of Mr. Porter's Tables, had only reached down to 1847. But before the statistical department of the Board of Trade was in existence, these accounts were always an additional year in arrear. The statistical department of the Board of Trade had succeeded in lessening the period necessary for collecting these returns, which came from all parts of the world, by one year. There was one department in the returns which was called "Section A," and related to finances and trade; and this, which was prepared distinct from the remainder, would be laid on the table, he hoped, within a fortnight, bringing down the return to the end of 1848. There was, he could assure the hon. Gentleman, both on the part of the Customs Board, and in every department of the State, every desire to furnish these accounts as early as possible; but when the information to be collected was scattered over the world, it was impossible that greater despatch could be used. Besides, if the returns were to be of any value, it was necessary that strict accuracy should be attended to. Even with all the delay that took place, the Board of Trade still found it very difficult to make the returns perfect. With regard to the miscellaneous returns to which the hon. Gentleman had referred, though they were comprised by the Board of Trade in the general returns, still it was clear that they were returns with the compilation of which the Board of Trade had nothing whatever to do. They referred to the statistics of crime and police, which it would, however, be admitted it was very desirable should be laid before the House. If the hon. Gentleman, or any other hon. Member, had any suggestion to offer tending to lessen the delay that took place, the Board of Trade would be most happy to give it the fullest consideration.

NEW SOUTH WALES—EMIGRATION.

Mr. SCOTT said, he had a question to ask relating to a statement contained in the report from the Select Committee of the Legislative Council of New South Wales on Crown lands, dated the 2nd of October, 1849. That report stated that a gang of desperate and hardened ruffians had been sent out to New South Wales in an emigrant ship in the course of last year, and that they had not only been sent out by the Government, but that the land fund of the colony had been expended in paying the cost of their passage; that they had been received and escorted on board by police; and that their conduct both on board ship and on shore had been most ruffianly and disgraceful. They complained that 350*l.* of the Colonial Land Fund had been expended for the advantage of these ruffians, and they requested that that amount might be given back to them. He wished to know if the representation contained in that report was founded in fact?

Sir G. GREY had not seen the report of the Committee to which the hon. Gentleman referred. He was, however, happy to assure the hon. Member that the statement was altogether without foundation. No persons of the character described in that report had been sent out as colonists either at the expense of the colony or of the Home Government. He had no doubt, however, that the circumstances which had given rise to the statement were these:—About twelve months ago the magistrates in the neighbourhood of Ashton addressed a communication to him, representing that certain married men with families, who had given evidence in the previous year against persons who had been tried for riots and disturbances in that part of the country, had been subjected to so much annoyance in consequence that they were anxious to emigrate, and the magistrates inquired whether a free passage would be granted to those persons. He (Sir G. Grey) communicated with the Emigration Commissioners on the subject, and it was found on inquiry that, with the exception of two of the persons mentioned, all these men came within the class to which the commissioners, applying the ordinary rules upon which they acted in the distribution of the funds at their disposal, could afford assistance to enable them to emigrate. These persons were, therefore, sent out by the commissioners, with some aid from the colonial funds, at an expense of *205l.*, and not *350l.* as had been asserted. He might add, that he had been applied to by magistrates to afford assistance for the emigration of persons who had been convicted of criminal offences, on their release from prison, with a view to remove them from the contaminating influence of their former associates in this country; but he had felt obliged to reply to such requests that the colonial funds could not be applied to aid the emigration of persons convicted of crime.

DISTRESSED UNIONS — ADVANCES AND REPAYMENT OF ADVANCES (IRELAND).

On the Motion of Mr. HAYTER, the House then went into Committee on the Distressed Unions Advances and Repayment of Advances (Ireland); Mr. Bernal in the chair.

LORD J. RUSSELL: In proposing the Motion which I shall submit to the Committee respecting the Government advances that have been made of late years to Ireland, and likewise with respect to the present state of distress in unions in Ireland, I will endeavour, as far as possible, to spare the Committee many of the details upon those subjects that have been laid before the Government, and will rather give the Committee a general view of the present state of Ireland, and of our proposals with respect to the advances that have been made to that country. All those who are acquainted with the state of Ireland during the last few years, must be aware that a change of the very greatest importance has taken place in the condition of that country. It will be recollected that, a few years ago, the question of the condition of Ireland related to a state of things which was, in many respects, exceedingly melancholy, and to which no remedy seemed to be applicable by the Legislature. At that time the greater number of the labouring class in that country were not supported by wages; they lived entirely upon small plots of potato ground; and during great part of the year they suffered extreme privation. At the same time there was such a competition for land that we heard, from year to year, of outrages and murders committed in order to obtain land; and Parliament was called upon, from time to time, both before and since the Union, to pass extraordinary measures of rigour and coercion, in order to put a stop to the crimes which were committed. Now, Sir, without entering into any question of the policy that has been adopted of late years with respect to Ireland, I may say that the failure of the potato crop, and the famine by which that country has been visited, have of themselves produced a change which I do not believe any legislative measures would have effected. In those districts of Ireland where there was the greatest competition for land, that competition has nearly ceased, and the desire on the part of tenants is rather to get rid of the land they hold. There has been an immense emigration; and the alteration which has taken place is of the most remarkable kind. On the one hand, it is gratifying to find that we have no longer, to any considerable extent, those outrages and murders which were formerly of constant occurrence. On the other hand, there has been the greatest pressure upon all persons of property, whether landlords or tenants, or others of the industrious classes, in order to preserve the lives of the people, and to mitigate the severity of the awful calamity by which Ireland has been visited. The change which has thus been taking place, is, in its main features, entirely independent of any laws which the Legislature has enacted or could enact; but the influence of the Legislature may be very great in tempering that change — in making the afflictions which must accompany it less grievous than they would otherwise be, and in preparing the country for that transition which is inevitable. In so doing, I conceive that the object of the Legislature should be to avoid two great dangers: first, that of allowing the people, who have no longer the potato to depend on, and who have no more means than they previously possessed of obtaining wages for labour, to perish from famine; and next, that of imposing such heavy burdens upon Ireland that persons of property may be discouraged, and the produce of the soil may be insufficient to sustain the inhabitants of the country. I will now, Sir, proceed to state what I think so far encouraging, that it gives me hope that a beneficial change is, in some districts, taking place. I have had before me the reports of a number of officers of the Board of Works from different counties in Ireland; I have especially studied those which came from the more distressed districts; and, with the exception of those from the county of Clare, they generally bear testimony to an increased desire to cultivate the land, to a growing wish for improvements in the mode of cultivation, and to a readiness on the part of the people to exert themselves to avert those evils under which the country has hitherto suffered. With respect to two or three of those counties of which we have frequently heard as being the most distressed, it is stated that, though there is much land that is untenanted, yet that there would not be any great difficulty in securing tenants if a reduction of about 25 per cent, or one-fourth of the rent paid four or five years ago, were made. There are other reports with regard to the fisheries and other industrial employments, which are of a very satisfactory character, and show the readiness with which the people are exerting themselves to pursue such branches of industry. But perhaps the most remarkable change that has taken place since the prorogation of Parliament last year, has been the very great diminution in the pressure of the poor-rate. The House has heard how great that pressure has been in former years, and what vast numbers of the people were not only relieved, but derived their sole subsistence from the rates levied under the poor-law. I hold in my hand an account of the decrease of expenditure for the last four months—October, November, December, and January, as compared with the corresponding months of 1848 and 1849. The decrease in October was 18,000*l.*; in November, 40,000*l.*; in December, 60,000*l.*; and in January, 1850, 70,000*l.*—making a total decrease on the four months of 188,000*l.* The decrease in the number of persons on the relief lists receiving outdoor relief is still more remarkable. On the 27th of January, 1849, there were 524,284 persons receiving outdoor relief; while on the 26th of January, 1850, there were only 118,940—being a decrease of 405,344 persons. It is right to say, however, that there has been an increase, but to no great extent, in the number of persons receiving indoor relief during the same period. I have various reports and private letters from inspectors of the poor, and others, with regard to the causes of this decrease. They say that the cheapness of food in the present season, and the fact that the produce of the potato was much more abundant last year than of late years, have increased the means of the people to support themselves, and have been the main cause of the decrease in the amount of outdoor relief. But another cause to which this decrease is generally attributed, and to which it is attributed by a person whose name has been deservedly mentioned in this House—I allude to Colonel Clarke, who acted as poor-law inspector—is the increased vigilance in watching cases of imposture, the desire to carry the law into effect according to its true meaning and intention, and the determination of all classes, and especially of the gentry, who in many instances have not hitherto attended at the boards of guardians, to investigate the cases of applicants, to see that the relief given by the law shall be afforded to the destitute, and to no others. I will now give the Committee a comparison, which is very remarkable, of the expenditure in thirty unions in Ireland, which have been taken by the Poor Law Commissioners as those which were generally the most distressed, and to which, therefore, considerable aid has been given from the votes of Parliament in former years. The cost of indoor relief in these thirty unions was, in Dec. 1849, 14,982*l.*, and in Dec. 1848, 18,206*l.*, being a decrease of 3,224*l.* The amount of outdoor relief has decreased from 28,868*l.* in December, 1848, to 6,048*l.* in December, 1849, being a decrease of 22,820*l.* The decrease in all other expenses has been from 18,719*l.* in December, 1848, to 16,093*l.* in December, 1849—a decrease of 2,626*l.*; and the total decrease has therefore been 28,670*l.* The total number of persons who received indoor and outdoor relief in December, 1848, was 297,918, and in December, 1849, 147,397, showing a decrease of 150,521. This certainly is so far satisfactory, as it shows that there is an improvement even in those districts which were considered the most distressed, and which some persons were afraid would go from bad to worse. Now, Sir, among the opinions which have been given by various persons in Ireland from whom we have received reports, there is none which is more prevalent than this—that the burdens arising from the loans of former years now press so heavily on many of the unions, that, though they might be able to bear the pressure arising from the relief of the poor, they are not able at the same time to provide for the repayments which ought now by law to be made upon those loans. I will state what have been the loans made of late years in aid of the poor-law unions in Ireland. In 1839 and the following year the sum of 1,225,000*l.* was advanced for building workhouses in Ireland. 47,000*l.* has been allowed to be deducted for mismanagement in the construction of those workhouses, and 48,000*l.* has been repaid, leaving 1,130,000*l.* as yet unpaid. The next public debt of this kind was for the labour works in the spring of 1846. The sum of 476,000*l.* was then advanced, one-half of which, 238,000*l.*, was a free grant, and the other half was to be repaid in 20 half-yearly instalments, with interest at 5 per cent. In the summer of 1846 another Act was passed, under which, in the winter of 1846 and the spring of 1847, 4,850,000*l.* was advanced, of which 2,425,000*l.* was remitted, and the remainder was to be repaid in 20 equal half-yearly payments, with interest at about 3*l.* 8*s.* per cent. In the summer of 1847 another amount was advanced under the Temporary Relief Act, sometimes called Burgoyne's Act, of which only 953,000*l.* was required to be repaid, the remainder having been remitted. That amount was, however, to be repaid immediately, according to the provisions of the Act, and no interest was to be charged. By an Act of August last year an additional advance for building workhouses was authorised; and it is calculated that a sum of about 100,000*l.* will be advanced under that Act. The sums which are now due from Ireland to the Consolidated Fund are these:—Loans for building workhouses, 1,130,000*l.*; additional loans now being made for the same purpose, about 100,000*l*,; amount remaining unpaid for relief works under the 9th Victoria, cap. 1, about 158,000*l.*; amount unpaid under the 9th of Victoria, cap. 107, about 2,305,000*l.*; advances under the Temporary Relief Act, 790,000*l.*; making altogether 4,483,000*l.* By one of the Acts under which these loans were made, the Treasury were enabled to extend the repayments over a period of 20 years, on the application of the counties to which loans had been granted, and at the same time power was given them of shortening, if they saw fit, the period of repayment. Under that Act, six counties have applied to have the time of repayment prolonged, and three counties have applied to be allowed to pay off the whole of their loan in a shorter time. The condition of the different counties is exceedingly varied; and in some cases the half-yearly payments are so small that it is more convenient to them to discharge the debt forthwith, while in other cases the burden is most oppressive, and it would be a great advantage to them to obtain a longer time for repayment. Now we propose taking the principle of the Act to which I refer, to extend still further the time within which the repayments shall be made; to consolidate, where it is desirable, all the various payments, and to allow, where it is necessary, a period of 40 years before repayment is required. I may observe, with regard to the former loans, that the time allowed for repayment was regulated by the Treasury, in proportion to the rates levied in the different unions. For instance, if the rate was under 5*s.* in the course of the year, no extension of time was granted; when it was above 5*s.*, ten years were allowed; above 8*s.*, 15 years; and above 10*s.*, 20 years were granted on application. It is proposed now to take the same general course. While some of the loans bear interest at a fixed amount per cent, there are others for which no interest has been required. We propose to take these liabilities just as they are, to continue to require interest where the Acts provide that interest shall be paid, but not to make parties liable for interest where they have been exempted by the Acts. The Committee will be aware that in many parts of Ireland these burdens have been stated to be so large that it is difficult to provide for the current expenses of administering the poor-law; but there are some particular unions in which the burden has been far more heavily felt than in others. I may state what it appears from the report of the Poor Law Commissioners would be the burden in some unions if the payments were regularly made. In 30 unions the average, I think, is from 5*s.* to 6*s.* on the valuation, which, considering the present state of Ireland, is, I should think, generally beyond the actual value; and in some cases the amount is as high as 9*s.*, without the payments required for current expenses. Of course, it is very difficult for these unions to meet such demands; but there is another charge to which they are subjected which is still more grievous, and which prevents them from making those efforts which they otherwise would make for the purpose of providing workhouse accommodation, and relieving, according to the true principles of the poor-law, those persons who may be destitute, without lavishing money upon those who do not require aid. What I now advert to is the amount of debt which has been incurred to contractors during these years of excessive famine, to furnish supplies of food and clothing to the workhouses, and who have not received the payment of those debts, owing to the inability of these impoverished unions. In some cases all the effects in the workhouse have been seized, and it has been with great difficulty, by the interference generally of private parties, that those effects have been retained; the unions consenting to pay a very high interest—6 per cent or more—upon the value of the articles which they retained. In no less than ten workhouses has there been an execution in consequence of debts due to contractors; and in some cases the beds of the persons in the infirmary have been seized. Now, it appears to us that these difficulties are mainly owing to the circumstances of famine, and the excessive numbers of people who required relief in former years; and that if the unions could be relieved from these incumbrances they would be able to begin afresh, and to carry into effect the due administration of the poor-law. Such certainly is the opinion of the Poor Law Commissioners for Ireland, more especially of Mr. Power, who has reported to us that he is of opinion that, in several cases, they would be able to hire and fit up temporary workhouses, and that by the application of the workhouse test those unions would be able very much to diminish their expenditure, but for these debts which are hanging over them. Such being the case, we think it advisable to propose to this House, that a sum should be added to the 4,483,000*l.* which I have already mentioned for the purpose of advances to be applied to the discharge of these debts—that this sum should be added to the whole sum which I have stated, and be made repayable, by instalments, in forty years, with interest, in the same manner as the remaining part of the debt. According to the accounts which we have received, the general debts of the poor-law unions in Ireland were diminished between September last and the end of December by no less than 100,000*l.*; but the distressed unions, of which, as I have said, there are about thirty, have not been able to make such efforts to diminish in the same manner their amount of debt. At the end of December the amount which they had to pay was about 270,000*l.* But there are other sums which are due from electoral divisions to other electoral divisions, they having obtained advances from the general rates of the union, which were levied on other electoral divisions, and which are entered in the accounts as due from the divisions. The Poor Law Commissioners are of opinion that if these debts could be discharged, not only would the district be placed in a far better position in regard to carrying on the administration of the law, but in some cases it would enable the Poor Law Commissioners to make those divisions in accordance with the reports of the Boundary Commissioners, which otherwise they find of extreme difficulty. I should mention that there has been a difficulty in the law with regard to that subject. The House is aware — especially those who sat on the Poor Law Committee of last year—that the Boundary Commissioners prepared a scheme, which it was generally thought it would be very expedient to adopt, by which several new unions were to be formed, and especially there were to be electoral divisions of smaller size; but there has been a difficulty in carrying that into effect, owing to the question as to the liability to the relief of the poor of the new unions and new electoral divisions before they had time to collect a rate. It is proposed, therefore, that part of this sum should be applied to relieve the existing liabilities, in order that this change may be able to be carried into effect. I think there are about eight new unions that have been formed, and nine unions of which the boundaries of the electoral divisions have been altered; but until Parliament shall declare its opinion upon this subject, it will be very difficult, under the present law, to carry these changes into effect. [Mr. H. A. HERBERT: What is to be the amount for this ?] 270,000*l.* will be for the debts of the unions, and 30,000*l.* more will be required for this purpose, making altogether 300,000*l.*, which, added to the 4,483,000*l.* already advanced, will make the whole advance amount to 4,783,000*l.* I will now state what has been done with regard to the rate in aid, which was sanctioned by Parliament in the course of last year, for the purpose of meeting the immediate distress. A sum of 250,000*l.* was allowed to be advanced under various Acts of Parliament, to be repaid out of the proceeds of the rate in aid. This sum was applied to the relief of the urgent distress which took place during the months of June, July, and August, 1849. Of this sum of 250,000*l.*, 150,000*l.* have been received from the unions, and paid to the Paymaster of Civil Services in Ireland: and there is a further sum in hand, which the Treasury have not ordered to be yet entered to his account. But it is to be considered that there will be sums required for purposes which appear to us to come properly under the provisions of the rate in aid. The first of these is that which I have already mentioned, namely, enabling the guardians of the different unions to support the poor who are receiving relief from the present unions during the transition, until the new unions and new electoral divisions can be rated according to the change; that would tend to the advantage of the general administration of the poor-law. We likewise think it would be advisable to apply part of this sum, which would be otherwise entered for repayments, to the furnishing of temporary workhouses, to enable the law to be better carried into effect. And I must here say—what certainly is but restating an opinion I have stated on other occasions, but which I have now more strongly confirmed than ever—namely, that by keeping to the workhouse test, and by applying it wherever you can, you have the best security for the administration of the poor-law. While upon this subject I may also make what, considering the numbers in Ireland always standing in need of relief, and the extreme poverty of that country, may seem a rather startling statement, with regard to the proportion of the population relieved in Ireland and in England at the end of December and beginning of January. I have obtained from the right hon. Gentleman the President of the Poor Law Board an account of the numbers relieved in England and Wales on the 1st of January, and it appears that about one in fifteen was receiving relief from poor-rates at that time; whereas in Ireland, at the end of December, it appears that only one in twenty-seven was receiving poor-law relief. Now, considering the two countries, if there has been any advantage with respect to the law, it is that those who administer the law in Ireland have much greater means of offering the workhouse to those who apply for relief than those in England. I think, therefore, that we should not be acting imprudently, but with good husbandry, if we enable the guardians in Ireland to provide themselves further with workhouses, and administer the poor-law there still more strictly than they are enabled to do at present. As I have said, 150,000*l.* of that 250,000*l.* have been repaid, and 100,000*l.* remain due. There will be further rates to be made, and, according to law, half those rates will be applicable to repayments. I do not imagine, as 150,000*l.* have already been repaid in a year, that there will be any considerable difficulty in repaying the remaining 100,000*l.* It was calculated—it was considered a sanguine calculation—that the whole amount of the rate in aid would be 320,000*l.* in each year; but it was always reckoned that a considerable part of that sum would have to be levied from the distressed unions, and that it ought not to be taken away from those unions, as they required relief, but that the money ought to be returned to them; so that I should think that if 300,000*l.* are levied under the rate in aid, it will be fully as much as can be expected. As I said, 150,000*l.* have been already repaid, and I do not expect there will be much difficulty in levying that rate, though we heard not a little at one time of the impossibility of it. Then, the proposals I have to make to the House are—first, that the general sums which have been advanced to Ireland, beginning with the workhouse loans of 1839, and going on to the advances made in 1846 and 1847 and subsequent years, should, where it is desired, and where the pressure of the poor-law appears to be felt, be converted into Consolidated Annuities, and be repayable with interest where interest is due, without interest where the Act of Parliament gives no interest, in the period of forty years. The next proposal I have to make is, that 300,000*l.* should be advanced for the purpose of enabling the boards of guardians, under the direction of the Poor Law Commissioners, to pay off the sums which are due for debts contracted for food and clothing of the poor during the years of distress. I should not be justified in making these propositions to the House if I was not of opinion that, great and difficult as the transition is to which I alluded in the first sentences I addressed to the House, and great as has been the suffering in Ireland in past years, there is now a prospect of Ireland, if these burdens are not unduly placed upon her, being able to recover from that very great depression, and enabled to enter upon a new social state. It is evident that, if we were to look to the state of society which existed from 1760 to 1845, we should only be looking to a recurrence of misery and of bloodshed to a people not having those means of comfort to which the civilised nations of Europe are accustomed. There has been neither that due connexion between the landlord and the tenant, nor that connexion between the tenant and the labourer, which we are accustomed to see in civilised countries. There has not been that expenditure on farm buildings, or those outlays which the landed gentry in England and in Scotland are accustomed to make in compliance with their arrangements with their tenants. There has not been that regular payment for labour by the farmers to the labouring men, which ought to be the certain source of their subsistence. On the contrary, in the relations of various classes in Ireland everything has been disorder and disorganisation. Hence we heard of those dreadful crimes which were connected with the occupation of land. Hence we heard of those divisions of different classes of society which it seemed beyond the powers of any legislation to remedy. That which is not for us to dispose of can be disposed of by a higher Power; and I do believe that we are now approaching a period when Ireland may be constituted in a different manner—when she may look to a better state of society—when her higher classes, her farmers, and her labouring poor, may act in harmony together for the improvement of a fertile country and the happiness and prosperity of a noble and generous people. The noble Lord concluded by moving that it be—

"1. *Resolved*—That it is expedient to make further provisions for the repayment of Advances which have been made or authorised to be made for the relief of distress and other purposes, to Poor Law Unions, Electoral Divisions, Baronies, and other districts in Ireland.

"2. *Resolved*—That the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland, be authorised to direct the issue, out of the Consolidated Fund of the said United Kingdom, of any sum not exceeding 300,000*l.*, to be advanced to certain distressed Poor Law Unions and Electoral Divisions in Ireland, on such terms and conditions as may be directed by any Act of the present Session of Parliament."

On the Question that the Chairman report the Resolutions to the House,

MR. FRENCH complained of the unfounded censure endeavoured to be cast by the noble Lord on the landowners and landholders of Ireland; and maintained that in the last half-century Ireland had made greater progress than had ever been done in the same period of time by wealthy and prosperous England. He told the noble Lord to look to the unfair treatment Ireland had ever received from this country—her manufactures prohibited, and her agriculture discouraged—and he would then find the root of those social evils of which he complained. It was worthy of remark that the noble Lord had not thought it advisable to lay before the House any information as to the working of the poor-law in Ireland for the last twelve months, previous to making the statement they had just heard, although he (Mr. French) was in a position to state that the accounts were made up to the 1st of January, 1850, printed, and in the hands of Her Majesty's Government. Why was this information withheld? Were there in it facts which would militate against the impression sought to be made on the House? Even in papers furnished to the other House of Parliament the night before, the accounts were not carried further than June. The present position of Ireland was described as "a favourable change." If abandoned mansions, levelled cabins, bankrupt shopkeepers, ruined landlords, and starving people, were indications of prosperity, there might be some foundation for the statement of the noble Lord. A change had indeed taken place, and a fearful one, amongst the people — from plenty to scarcity; from great natural affection to intense selfishness; from charity to inhumanity: let the five hundred verdicts of deaths by starvation in the last year test how favourable has been the change boasted of. It was true, as stated by the noble Lord, that the desire to hold land was not, amongst the peasantry, as great as it had been three years ago. Why? Because it was not possible to work it at a profit, owing to the enactment of a law unsuited to the country, passed in defiance of her representatives, and continued in opposition to the declared opinions of every class of her people—a law which has not even answered the selfish objects of those who voted for it in this country, which has to be supported by 50,000 bayonets at an expense to the united empire of at least two millions annually. Why did not the financial reformers look to this? When Lord Anglesey was Lord Lieutenant, 13,000 men were sufficient to maintain the tranquillity of Ireland. The noble Lord stated that in the last four months there had been a diminution of expenditure, compared with the corresponding months of the former year, of 188,000*l.* That saving had been effected since the dismissal of the paid officers of the Crown, the vice-guardians, and the merit of it was attributable to the exertions of the elected guardians. Why did not the noble Lord tell them what the expenditure of the entire year had been ? When the vice-guardians were in power, it was upwards of two millions, though the number relieved were fewer, and the price of food much lower, than in the preceding year: two millions of money were levied on a rental not exceeding nine millions a year, in addition to a million and a half for grand jury cess and labour rate. There was not in Europe so heavily taxed a country as unfortunate Ireland. In the constitution of the Poor Law Board there was an improvement. Mr. Power had brought to it courtesy in communication; and he heard, with pleasure, that, from the experience of the last four months, there was every reason to hope he would add to it economy and efficiency. The noble Lord had given some explanation of the cause of delay in carrying out the recommendations of the Boundary Commissioners, though scarcely sufficient in regard to those eight new unions, and nine altered, which the Boundary Commissioners had recommended, and the poor-law authorities had sanctioned. He had before borne his testimony to the very able manner in which Captain Larcom, Captain Broughton, and Mr. Crawford were discharging their duties; and he trusted no further time would be lost in carrying those alterations into effect, by which the electoral divisions would be reduced to manageable limits. He would now come to the proposal of the noble Lord, which, he regretted to say, he considered neither liberal nor just. The noble Lord proposed an advance of 300,000*l.*, the greater part of which was to be applied to the payment of the debts, recklessly and wastefully incurred by his own officers. He threw on the Irish unions the payment of these official debts, and told them to be thankful that he extended the period of repayment over forty years. The noble Lord stated that 1,200,000*l.* had been advanced at the demand of the several counties for the building of workhouses in Ireland. He (Mr. French) maintained that neither the counties nor the unions ever asked for it, that it was forced on them, and applied by Mr. Nicholls in such a way that the workhouses when built were found nearly worthless, and a further sum was necessary to make them available for the purposes for which they were designed. Even of the original sum, Mr. Penethorn, the Government Commissioner, recommended a considerable deduction to be made on the ground of no value given. It must be borne in mind that this law was passed, on the solemn assurance of the noble Lord that 300,000*l.* a year would be the utmost required for the annual support of the poor, and one million to repay the sum expended on the workhouses. On payment of this amount by Ireland, in justice, no farther claim ought to be made. That sum has been already paid. The law was about eleven years in operation. Seven millions had been collected. 3,330,000*l.*, according to the estimate of Mr. Nicholls, and the assurance of the Government, was more than sufficient for the support of the poor during that time, and there remained a sum of 3,700,000*l.* to set off against the 1,200,000*l.* for building the houses. Faith, however, was not to be kept with them; and, in defiance of justice, this sum was to be levied over again in the next forty years. As to the 2,500,000*l.* expended in the destruction of the thoroughfares of the country, repayment was also to be enforced. 4,483,000*l.* was to be paid by Ireland, with interest at a higher rate of 1 per cent than Government paid, by which they would, for the next forty years, derive a profit of 17,000*l.* a year from that wasted and impoverished country. The only portion of the speech of the noble Lord he heard with satisfaction was, the necessity of returning to the principles of the Act of 1838, and insisting in every case on the workhouse test. This the right hon. Baronet the Member for Tamworth had truly stated must at once be done, if Ireland was not to be made an indiscriminate mass of pauperism; and the sooner the noble Lord attended to that advice the better. The hon. Member concluded by again expressing his surprise that one so well versed in the history of other nations as the noble Lord, should show himself so ignorant of the social evils of Ireland, and so incapable of grappling with them.

Mr. MONSELL cordially thanked Her Majesty's Government for the measure which they had introduced, for without some such enactment it would be impossible to get purchasers for land, or tenants for farms. He differed from his hon. Friend the Member for Roscommon in considering the proposition was not liberal. But there was one point of considerable importance with regard to the prevention of a recurrence of the present state of things, to which the noble Lord alluded, and which he would take the liberty of impressing on the attention of the Government and the House—namely, the absolute necessity of inserting in the Act of Parliament to be framed, clauses prohibiting any board of guardians from making any contracts for provisions accompanied by penalties. He knew there was always a difficulty in getting the House to listen to a statement of an individual union, but he would beg to state the case of the union of Newcastle, in the county of Limerick, which he was sure would astonish every English Member. In May last that union was under the control of vice-guardians. On the 14th of May, the officers of the commission being present, they entered into a contract by which, when the new board came into office on the 1st of November, they found the union was involved in a debt of 8,150*l*., and the union were to be called upon to pay this at 2,000*l*. a year. The Poor Law Commissioners, on being appealed to, said, that in affairs of contracts they could exercise no control. He thought it essential, in order to prevent a recurrence of the evil, that clauses should be inserted prohibiting any boards, under any circumstances, from entering upon any contracts carrying with them penalties.

The EARL of ARUNDEL and SURREY would venture to express a hope that the reduction of the number of the poor receiving outdoor relief, had not been effected in such a manner as he had been informed it had been in the union of Kilrush. He was credibly informed that numbers of the wretched people had come a great distance, some eighteen or twenty miles, to have their cases investigated at the workhouse, and were obliged to return without having them investigated. If the Government found, upon inquiry, that the guardians in that district did not do their duty, they should establish vice-guardians to afford some chance to the remnant of the people of escaping from perishing.

COLONEL SIBTHORP felt as much for the Irish poor as any man; but when he saw increasing distress in this country, arising from want of due consideration on the part of Ministers, and want of purpose on the part of the House, he could not give his assent to resolutions such as those the noble Lord had submitted. They had all heard of the distress amongst our agricultural population, but not even an expression of sympathy could be afforded for them, while large advances of money were made to relieve the poverty of Ireland. When the Bill founded on these resolutions came before the House, he hoped he should be supported in opposing it. He objected to the proposition altogether. What security was there that the money would ever be repaid? Forty years! why, they would be all at peace and quiet before that.

MR. P. SCROPE looked upon the measure as a great indulgence to those unions which were indebted in large sums of money and were unable to pay. But the people of England had some interest in the matter, and if the time for the repayment of these loans, which amounted to nearly 5,000,000*l*., were extended over forty instead of twenty years, they had a right to know that the poor-law should for the future be as fairly carried out in Ireland as it was in England. At present there were very great complaints of the burden of the poor-rates in Ireland; but the noble Lord had told the House that during the last year of distress the number of paupers amounted in that country only to 1 in 27 of the population, while in England and Wales it was 1 in 15, therefore in proportion to the population the pressure was greater in England than in Ireland. He much feared that the late reduction in the number of persons relieved, and in the amount of poor-rate levied, referred to by the noble Lord, arose from a denial of relief, rather than from any actual diminution in the amount of pauperism. This was a matter in which the people of England were deeply interested, for if the Irish destitute poor were refused relief at home, they must come over here and help to take the bread out of the mouths of our own people, or commit crime and be transported at the public charge. In Ireland the charge for relief was about $\frac{3}{4}$*d*. a day for each pauper, while in England it was 2*s*. a week, and even that paltry amount of help had, he believed, been in many cases altogether refused. The Government accounts only came down to April last; but from information he had received to a recent period, he understood that in many unions great reductions had been made in the expenditure for relief by means which appeared to him unwarrantable. In some unions, as Kilrush, Westport, Innistimon, and Scarriff, he was informed 10,000 or 12,000 persons had been struck off the relief list, and persons who had been refused relief out of doors, on applying to be received into the workhouse, had been denied and sent home a distance in some cases of eighteen or twenty miles, without food or assistance of any kind. In Kilrush, outdoor relief had been stopped, and the food from within the workhouse was not according to the dietary sanctioned by the Commissioners, but consisted principally of turnips, the consequence of which was that dysentery had set in, and the deaths had increased in the six weeks ending February 2nd, from 15 to 140. He had received accounts from other unions as to the insufficiency of the diet, and the filth and demoralisation which the paupers in the workhouses were subject to. If the noble Lord meant to limit the relief to the workhouses, let him take care that the workhouses were properly conducted. But to limit the relief to the workhouses, was not treating England fairly. In England the proportion receiving outdoor-relief was six-sevenths of the whole; and why should the law be carried out differently in Ireland? He was not now speaking of the ablebodied poor, but the sick and the impotent, and he saw no reason why they should not be relieved out of the House in Ireland as well as in this country. He had no objection to offer to the financial part of the scheme, but he entreated the noble Lord to see that the poor-law was carried out in Ireland in the same spirit of fairness, justice, humanity, and righteousness befitting a Christian people as in England.

Mr. CLEMENTS thought every Member connected with Ireland ought to feel grateful to the noble Lord and his Government for the proposition of setting the unions on their legs again, and relieving them from the fear of the sheriff's officers. One of the great difficulties incurred in the western unions arose from the enormous extent of business imposed on the board of guardians by reason of the great size of the unions. One union comprised 178,000 acres. How was it possible that any board of guardians could satisfactorily administer the affairs of so extensive a union? It was four times the size of an ordinary union in England, and twice the average size of Irish unions. The boundary commissioners recommended the formation of fifty new unions. The noble Lord said he was not prepared to carry out that recommendation to its full extent, and that there were not means at present for forming more than eight or ten. He (Mr. Clements) hoped the noble Lord would reconsider the subject, and make some arrangements for forming new unions and giving increased accommodation to the poor.

Lord C. HAMILTON did not rise to oppose the proposal of the noble Lord, but to express his regret that it had not been carried further. It was well known that there were large tracts of land in the south and west of Ireland, lying in a state of non-cultivation owing to arrears of rates. The consequence of no rates being collected on these lands was, to augment the rates on the others. Now he thought that if these arrears of rates were placed on the same footing as the arrears of insolvent unions, and loans were made, to be repaid in the same manner as by such unions, the effect would be that large portions of land now lying waste would be put into cultivation, and a considerable amount of labour employed on them.

Sir H. WILLOUGHBY said, he wished to guard himself against being pledged to the principle of the measure to be introduced, because he had assented to the resolutions. He apprehended that there was a debt of 4,783,000*l*. Did the noble Lord mean to convert the sum of 300,000*l*., which was included in the large amount out of the Consolidated Fund, into Consolidated Annuities? He did not know whether that principle was to apply to the 300,000*l*. It was not indeed without some misgivings that he gave his assent to the resolution, because the House would recollect that this 4,783,000*l*. was borrowed money of the united kingdom; it was made a loan of nearly eight or nine millions, of which this four millions constituted a part. He objected to lending out this money for so long a period as forty years.

Mr. GRATTAN said, he was of opinion that Ireland had been born for a better state of things than that of being beggar, and that Providence never intended she should be the recipient of alms. She had got a fine climate, an excellent soil, a hardy people, the finest harbours in the world, and honesty in dealing, and morality at bottom. And, yet, with all these benefits and blessings conferred upon her, she was now at the door of England begging for bread. He despised the situation. An able writer had said, "The first foundation of friendship is not the power of conferring benefits, but the equality with which they are received and may be returned." He thanked the noble Lord for having given benefits, but the means of returning them to English gentlemen he was at some loss to discover. He should not act the part of a dishonest man by saying otherwise; but if he believed he could repay the hon. and gallant Colonel who had already spoken, then, indeed, he would have the honesty to say that that hon. Gentleman or his heirs might expect to be paid. The question was, whether England was to go on eternally giving to Ireland? What did the noble Lord propose? If he (Mr. Grattan) were an English gentleman, he certainly would not trust the noble Lord upon Irish subjects, because he had given expression to sanguine hopes of the Irish people becoming great, prosperous, and happy. But these were mere words. The facts were against the noble Lord, and against his fine statements. Her people were flying away, and her gentry were reduced; and he, for one, would never submit to the continuance of such a state of things. The fact was, Ireland did not want English money—she did not require British gold, provided the landlords and tenants of the country did their duty. There was a great mistake in the noble Lord supposing that he was granting money from the English Treasury to Irishmen exclusively, because there was a large number of English proprietors of land in the sister country, including marquesses and others of note. The truth was, that England had now been in possession of Ireland for 400 years, and she had ruined it. Let her, then, take back her money, for money was, at the best, a dirty thing, and seldom did any good; besides, there were means of getting through life without having your hand always in your breeches pocket. The noble Lord had said, "I will give the Irish 300,000*l.*, and do you, English Members, be quiet; and do you, Irish boys, hold your tongues, and the thing will pass." It would not pass. He (Mr. Grattan) warned them that Ireland would be the means of unfortunately pulling England down, unless they took timely care. How could they bear the constant drain of the sister country? The people were fast leaving that country. During the last year alone 200,000 persons had emigrated from her shores. There was no plan now proposed to check existing evils but a loan of money, but money would not bring back the gentry. The gentry were flying away; the land was deserted; there was no society to be had; the castle was the only place were there was any society; all the rest of the people were paupers; and the country would soon be a sheep-walk, and there would be nobody left in it but a parcel of poor freize-coated men. If the Lord Lieutenant was removed, the last remnant of respectability would have departed from the land. The Protestants were fast leaving. It was difficult for him (Mr. Grattan) to induce his Protestants to remain. If it were intended to depeople the country, he hoped England would not take away the morals of the men and the virtues of the women of Ireland. He saw nothing but a continuance of peplexity and distress. Ireland was still, as she had ever been, the great difficulty in the way of English statesmen. He did not see how they were to get rid of it. He thought they might have got out of it by never getting into it. It had been sometimes asked why the Irish Members were so fond of protection. The answer was, because the Irish had nothing to protect. That was the reason they were all protectionists now. Protect, indeed! Had they acted, as Sheridan would have had them act, they might have had something to protect, for his words were, they ought to have waded knee deep in blood. But as for the dirty shilling that was now offered, or the barrel of wheat, or oats, he would never take it. The free-traders might rest assured that he would never go for the pound of tea or sugar now going to be doled out. Had the Irish held their position, as Wellington did at Torres Vedras, they would have had much to protect. He might himself be a simple man, but he believed in his soul that England would never again get so good an arrangement as was made in Ireland in 1782; and she knew it. He was doubtful whether he ought upon this point to speak in terms of debasement or indignation; but he had made up his mind to tell the truth, and the truth was, that Ireland had been given up to England in the year 1800 in a wholesome state. The Catholics were not then corrupted, neither were the Protestants disloyal. There was a bad set of men in Belfast certainly, but the spirit of Ireland at that period was not anti-English, and might have continued so, were it not for the shameful atrocities then committed of flogging the people. Her exports and imports had been increasing, and her gentry were prosperous. See her situation now.

Were they willing to keep the country in a state of beggary and starvation, and at the same time to hold an army there of 50,000 men? England wanted men like Chatham, Burke, and Fox at present, and such men there were if the English intellect had not dwarfed of late years; she wanted those who would bind Ireland to her with an adamantine chain, and give the sister country liberty, and life, and action. It was full time that something should be done to rescue Ireland if possible from the wretched condition to which she had been reduced. Her power, prosperity, and happiness were gone. There was no sign or symptom of them now remaining. *De non apparentibus et non existentibus eadem est ratio.* Let the House bear in mind that the exact amount of the revenue of Ireland was 398,000*l.*, while the revenue of the absentees came to 4,000,000*l.* He thought the Irish Members had not been of the least use last Session—that they could do no good this Session—and that the best thing that could be done with them would be to get them to sign a document that they would remain attached to England, and work for their country. Much had been said from time to time respecting bad landlords in Ireland; but, in his opinion, the bad landlords were those who deserted their duty, and who, when a shot was fired from behind a hedge, ran away, and left the other Irish proprietors to take their chance. He had found that to be the case. The English Minister ought to open his eyes, and see what was passing around him. *Fas est et ab hoste doceri.* Why did he not read the debates in the French Legislative Chamber, and pay attention to the contemptuous observation made by the French orator a few days since, who exclaimed, "*Grâce à Dieu, la France n'est pas encore abimée dans la misère comme l'Irlande.*" What a disgrace to England it was that a country which had been for so many years under her exclusive management should be in a state of prostration which made her a by-word and a term of reproach to the nations of the earth. Then again, supposing Ireland to be depopulated, how would England be able to recruit her regiments? Would she go to Manchester for men? No. There would, however, be no use in her going to Ireland, for the only parties who were now living in that country were the policeman, the soldier, the person who received money from Government, and the gaoler. This was not the state of things which existed when Chatham spoke, and Pitt planned, and Fox charmed, and Sheridan prophesied. Let England, then, fall back on Ireland, and stand by her. Yet there never was a time when Ireland was in danger that she had not been abandoned. She had been abandoned in the time of Charles, and again in 1776, 1781, and 1782. The policy now was to give her 300,000 halfpence. Such a policy would break her down, dispel her hopes, destroy her happiness, her political happiness, and her financial happiness, if there was any happiness in that. Disease, famine, and death were still rife in the country. The sum of 200,000*l.* had been expended last year on cases of sickness and death. Where was this to end? He called upon the House to stand by Ireland, and, if they were to sell up men, to sell up those who had been the cause of the ruin. He believed that England could not stand the shocks she might receive from other countries if she had Ireland like a log around her neck; and therefore it was high time to remove the log, and to legislate in a spirit of justice towards the country. There were no such things as comfort and happiness in Ireland now. No man could return to his home with other feelings than those of sorrow and anguish, for everything that met his gaze filled him with dismay, and tended to sadden and dishearten him. He did not object to the Motion which the noble Lord had introduced; but he would be delighted to see some measure of a comprehensive and truly statesmanlike character brought in for the permanent advantage of Ireland.

VISCOUNT BERNARD thought it would be a great advantage if the number of instalments were increased, so as to lighten the pressure upon the unions generally. He thanked the noble Lord for the measure of relief which he proposed to give to the people of Ireland. The noble Lord had that evening given them a great boon, and he had enhanced its value by the period at which he had brought it forward. He (Lord Bernard) had for a considerable time been the chairman of a board of guardians. He knew the working of the poor-law; and he had no hesitation in saying that, so long as a union was in debt, it could not advantageously manage the expenses of its poor. With respect to the gentlemen of Ireland generally, he was happy to say that they began to see the necessity of attending more closely to business than heretofore. He wished to add, that he hoped the present would prove a great encouragement to the people of Ireland.

MR. BRIGHT wished to make one or two observations before the debate on this subject was disposed of. He thought the speech made by the noble Lord at the head of the Government to some extent satisfactory, inasmuch as it showed, what he (Mr. Bright) believed to be the fact, that in some parts of Ireland there was some improvement visible from the disastrous condition of the last three or four years. He could comprehend the kind of claim which hon. Members thought they had for the 300,000*l.*, to pay off the debts contracted by certain of the most distressed unions, for he had received letters from those unions, from which it appeared that the very furniture belonging to the union-houses had been put up for sale by the creditors, and the guardians had been put to the utmost extremity as to how they were to keep the people alive from one day to another. But there appeared to be this point of weakness in the noble Lord's case. He (Mr. Bright) did not think the noble Lord had sufficiently explained to the House why there happened to be a considerable arrear of rates in many of the most distressed unions. The House could easily understand how it would be difficult, under the circumstances, to collect from many of the ratepayers; but when he was in Ireland, some three or four months ago, he took the trouble to make certain inquiries, in two of the unions at least, and he found that in those unions the greater proportion of the money which was in arrear of the rate owing to the guardians, was owing, not by the occupiers, but by the owners, of land in those unions. Now he was persuaded that there was not always a strict impartiality shown by the authorities in these unions, in the collection of the rates. It might be, to some extent, the fault of the law if this was the case; but he was quite sure from what he had heard, that if occupiers had any property whatever, that property was distrained for the payment of the rate in a multiplicity of cases, while the owners of the soil were allowed to go free on account of the exceeding difficulty under the present state of the law, which the guardians met with in enforcing payment from them. If the House would permit, he would read one or two notes that he made while he was in Ireland, and he thought when Government proposed that advances should be made from the public taxes, they were bound to show that everything had been done which could be done for the purpose of collecting the rate. He would not mention the unions, because it would direct the attention of the House to individuals whom he did not wish to expose; but if any hon. Gentleman wished to know, he would give him all the particulars in private. He learned that in one union more than half the magistrates were defaulters in respect of the poor-rate. Now, he took it for granted that the magistrates were themselves owners of land. Then he found that both the Members for the county were defaulters in the payment of their poor-rate. He was told, on what he believed to be good authority, that one Member of the county had made over to one of his relatives, he believed to his mother, the chattels which were in his house, so that the poor-law guardians could not take them for the rates. He found that another gentleman, a magistrate, who had a large house and a park, had no chattel property, for it had recently been sold by auction and bought in by one of his brothers. He found that another gentleman—a magistrate, and a leading man in the union—had transferred his stock to his son, and that his sheep had his son's brand on them; that they summoned him for the poor-rate, and that the magistrates dismissed the case, and that a representation had been made to the Castle, but no notice had been taken of it. He found that another gentleman—a magistrate—sat on the bench in his own case, and that the case was dismissed, as might have been expected, and that this was also represented to the Castle; and that one gentleman travelled a great many miles to attend the sessions, at which he was not accustomed to attend, and sat on the bench and helped his friend there to baffle the poor-law, and that that friend came back and helped him, and that the guardians find it almost impossible to collect the rates. On looking over the list of arrears in this union, he found this observation:—

> "William Burke, occupier of nineteen English acres. This man is wretchedly poor, but his land is well tilled, he and his family have been in the fever, and I am sure he will pay."

He learned from the most undoubted authority, that wherever there was property belonging to the occupier, that property was invariably seized for the rate when payment was not made; but where the rates were due from the owner of the land, the difficulty of the law was almost insurmountable. First of all, the case went before the magistrates, and if an order was obtained, very well. Then an application was made to a superior court, and, if successful there, of which there was great doubt, the debt became a judgment on the land. In the Clifden, the Ballinrobe and the Castlebar unions, he believed the greatest portion of the arrears was due from the owners of the land, and not from the occupiers. If that were the case, the noble Lord ought to have taken into consideration that these cases had been referred to the authorities at the Castle in Dublin; and he now found, from the best authority, that after these defaulters among the magistracy had been reported to the Castle, there had been no adequate notice taken of those complaints. Now, he was not there to raise an objection to the advance of the 300,000*l.* They might see it again, or they might not. If it were the last of these grants, they would be exceedingly glad. The noble Lord called it an "advance," though perhaps it looked more like a gift. But he did object to a system under which the poor-law authorities were not armed with sufficient powers to obtain the rate from the men who owned the land, who had in many places exterminated the people, and who, after all the experience they had had, refused to let their lands to parties who would be willing to take them on reasonable terms as to tenure. He knew very well there had been no man, who, within the last six months, had endeavoured to acquaint himself with the condition of Ireland, who did not know that offers had been made over and over again in different parts of the country, which had been refused because the owners of land wished to maintain a system of tenure which had existed for many years, and which every sensible man would wish to see done away with. In the union of Chifden, the poor-rates had been respectively 1*s.*, 3*s.*, and 3*s.* in the pound, making 7*s.* in the pound for the three years. This year they proposed to levy a rate of 5*s.* in the pound. When he was in Ireland, he spoke to a gentleman living in the Clifden union, and he asked him how much he was liable to pay. He said, "My rent is 80*l.* a year. I am assessed at 60*l.*; my landlord will pay half of it. I shall pay 7*l.* 10*s.*" They said that the poor-rate has distressed the country; but a manufacturing establishment with which that gentleman was connected in England, paid upwards of 300*l.* per annum for poor-rates, and there was no relief extended to him. If the noble Lord would give the poor-law authorities some extraordinary power of seizing a certain number of acres of land, and having them sold for the arrears of rates, he would bring these landlords to a sense of their duty more speedily than by any other course, and he would put them on a par with those whose chattel property was seized, while the owners of land went unscathed. It was alleged that some of these men who did not pay their rates had their watchers and keepers guarding their domains, in order that the collector and the sheriff's officer might not go near them, and probably many of them were going to an expense, in thus baffling the poor-law, which might pay the rate that was demanded of them. He did not think the noble Lord was doing right in taking from the taxes of this country to make up for the arrears of such men; but he thought that he ought to give to the poor law authorities power to seize the land.

Mr. H. A. HERBERT could not congratulate the hon. Member for Manchester on the result of his recent visit to Ireland; or quote, in reference to him, the language of the poet—

> "Returning from a finished tour,
> Full ten times wiser than before."

For in the hon. Gentleman's recent speech in another place, when a great deal was expected from him, he did nothing more than rake together a heap of propositions and remedies that had been thought of and written about during the last twenty years. But he gathered, from watching the hon. Gentleman's proceedings in the Committee upstairs, last year, that he went over to Ireland, prejudging the remedies that he would find necessary for her evils; and therefore he was not surprised if such tourists as the hon. Gentleman saw nothing during their progress but a confirmation of their preconceived notions. But when the hon. Gentleman, as he had done that night, attacked Irish landlords, and attacked them anonymously on authority which he durst not produce in that House, and attacked the Government also for sanctioning the conduct of these gentlemen—conduct that was most reprehensible—he (Mr. Herbert) must confess that it was with no little astonishment he found that one of the charges of the hon. Gentleman, the champion of free-trade principles, simply amounted to this—that certain Irish landlords refused to let their land at what the hon. Gentleman considered its fair value. He understood that free-trade meant buying in the cheapest and selling in the dearest market; and if so he thought the hon. Member for Manchester would have been the last man to make it an accusation against an Irish landlord, that he refused a rent which the hon. Gentleman thought fair.

MR. BRIGHT said that they would not pay their rates, and therefore the policy they pursued was a very foolish one, and did not entitle them to the consideration of that House.

MR. HERBERT: What would the hon. Gentleman say if he (Mr. Herbert) were to take him to task for refusing a price for a bale of cotton or a foreign order which he thought below its real value? Now he (Mr. Herbert) would not seek to palliate or excuse the conduct which the hon. Member had ascribed to certain Irish landlords, among whom were several Members of that House; but he called upon him to give up the names of the authorities upon whom he had accused them. If the hon. Gentleman would not do that, he (Mr. Herbert) said that to stigmatise them in the manner he had done was a calumny, and the most cowardly of all calumnies, because it was anonymous.

COLONEL DUNNE, as chairman of a board of guardians, had never seen any instance of partiality in the collection of the rate to one class more than another. There were disputes about the payment of rates with parties who refused to pay, and who were known by the term of "immediate lessors;" and he thought that if these parties could avoid paying the rates they were perfectly right in so doing. He wished to ask the right hon. Gentleman the Secretary for Ireland what were the arrears of poor-rates in Ireland; whether the amount was not extremely trifling, and whether, in fact, the poor-rates in Ireland were not, on the whole, better collected in Ireland than in England? The fact was, the poor-rates were collected with great severity in Ireland, and the arrears were trifling, whether due from owners or occupiers. He felt grateful to the noble Lord for the propositions which he had made that night, which he thought would be excessively beneficial to Ireland. The debts incurred in Ireland by the unions had chiefly arisen from the poor-law and its administration, which was needlessly expensive. If the House wished to get rid of these debts, they must go to the root of the evil, and get rid of the present administration of the poor-law in Ireland. No one wanted to get rid of the poor-law itself, but the system of administering it was unsuited to the wants of the country. He had stated on a former occasion that the expenditure in 1849, under the Irish Poor Law, was greater than in any previous year. The noble Lord at the head of the Government corrected him, and he (Colonel Dunne) thought he was wrong; but the House would find that the expenditure of 1849 would be greater than in 1848, 1847, or any previous year, and that it had extended beyond 2,000,000*l*. Since the last returns were made up, he admitted there had been a great reduction, and this he attributed in a great degree to a return from the system of paid guardians to that of the old local guardians. The noble Lord ascribed the diminution of pauperism to the importations of food, but during the last few months the importation of Indian corn had decreased, from the greater supply of potatoes. Emigration was another cause to which this diminution of pauperism might also be attributed.

SIR W. SOMERVILLE thought the hon. Member for Manchester had fallen into a not uncommon error, in considering the uncollected rate as arrears. The hon. Member saw it stated, perhaps, that there was a certain amount of uncollected rate in a certain union, but he was not to consider that as arrears, but as a rate in process of collection. The returns showed that the collection of the poor-rate in Ireland was exceedingly close, and the greater part of the uncollected rate would be found to be due by the immediate lessors, or, as the hon. Member called them, by the "landlords" in Ireland. It was true that there was no power of levying the poor-rates upon the owners of the land by a distress; and if the owners and occupiers were to be, as the hon. Member recommended, both put upon the same footing, it could only be by taking away the power of distraint upon the occupier—a course which the hon. Member for Manchester would not recommend. The whole collection of poor-rate in Ireland, since the establishment of the poor-law in that country, had amounted to more than 7,000,000*l*. of money, and out of that sum the sum lodged in the treasurer's hands, and placed to the credit of the unions, had amounted to no less than 96 per cent. That was really a most remarkable fact, and there was, perhaps, no rate in England that was collected in so close a way as that. The whole sum of money that might be considered uncollected arrears of the last rate, only amounted to 207,000*l*. This collection of 96 per cent out of 7,000,000*l*. was perfectly sufficient to show that no reasonable effort had been neglected to collect the rate, and that the collection of the rate had been close and successful. With regard to the complaints of the hon. Member for Limerick, he was not surprised that the hon. Member and the board of guardians for the Newcastle union should express their surprise and dissatisfaction at the contracts to which the hon. Member had alluded; but he (Sir W. Somerville) denied that the Poor Law Commissioners were answerable for such a state of things. In the case of the Listowel union, the opinion of the Poor Law Commissioners was asked before entering into these contracts; but that was not the case in the Newcastle union, and he doubted whether the Poor Law Commissioners had a right to interfere when the contracts had once been made. He was glad to find that the proposition made to-night by the Government had been received with great favour on the part of hon. Gentlemen connected with Ireland, and by most of the hon. Members who had addressed the House. It seemed, indeed, as if we had arrived at a state of things when some hope was held out, and when there appeared a fair prospect, that we had seen the worst of the unfortunate crisis which Ireland had passed through. The hon. and gallant Member for Portarlington was correct in stating that, if you took the financial year of 1849, and compared it with that of 1848, the financial year of 1849 was the most expensive; but since that time there had been a considerable improvement in the state of things. The diminution in the expenditure, since September, 1849, had been very marked and increasing, until it had amounted, in January last, to a sum which exhibited a diminution of 70,000*l*. as compared with the expenditure in January of the last year. This was very satisfactory. The noble Earl the Member for Arundel had expressed his fears that the diminution of poor-law expenditure had been occasioned by the maladministration of the law, and had mentioned the case of the Kilrush union. Inquiry should be made into this charge, and, without pronouncing any opinion respecting the conduct of the parties who administered the poor-law in that union, he would say that if it were true that a number of unfortunate persons had attended before the board of guardians of the Kilrush union, and had not had their cases investigated, the law had not been properly administered in that union. He confidently hoped that if the House should sanction this advance of money for the purpose of relieving the most distressed unions in Ireland from these debts which had crippled their energies, they would be doing more to help the people of Ireland than by any other means. He was not without hope that the time was not distant when these unions would be self-supporting, and, when returning prosperity, and a better state of things in Ireland, would prevent the necessity for further assistance from that House for the unions in Ireland.

Mr. MONSELL, in explanation, said, as to the statement made by the right hon. Baronet, that the Commissioners were not responsible for the contracts, begged to call his attention to the fact that the poor-law inspector, Mr. Lynch, was present at the time, and that there was also a temporary inspector there. If they were not aware of it, it was the fault of their own officers; and if they had been aware of it, and they could have prevented the contract from being made, he could hardly doubt they would have done so.

Mr. GROGAN said, he thought a full and satisfactory answer had been given to the hon. Member for Manchester, and he hoped that when the hon. Member next undertook to lecture the owners and occupiers of land in Ireland, he would think of the full and crushing reply he had had upon this occasion. He trusted the hon. Gentleman would also come to the conclusion that a short tour of two or three months could not qualify any man, however able he might be, to put himself in the position of a philosophical lecturer. If the hon. Gentleman bore in mind that the proprietors who refused the offers which had been referred to were themselves bearing the loss, and also the accumulated pressure of the rates, he would find that it was contrary to the soundest principles of political economy to allow such a state of things to remain: and if he also bore in mind that these persons went to Ireland to get land at what they called a dead bargain, and that they wished the proprietors to part with their land for seven years' value, he would cease to be surprised. The hon. Gentleman had blamed Government for not giving power to seize the lands of such owners as were in arrear. Now, the hon. Gentleman took a very active part in the debates and in the Committee; but he seemed to have forgotten that the power which he spoke of existed, for where the arrears had been owing for a certain time, there was power to sell the land. He could not reconcile the hon. Gentleman's consenting to this advance with his position as a leader of the financial reform movement, without his taking more stringent measures to make these landlords pay up. Representations, he said, had been made to the Castle authorities, and he called upon him to move for the production of these papers, that the House and the country might know who were these proprietors who had neglected their duty in the manner that he alleged, and that the whole body of the Irish proprietors might not be included in his condemnation.

SIR H. W. BARRON was glad that the hon. Member for Manchester had made this charge against some of the landed proprietors, magistrates, and Members connected with Ireland, because it had elicited an answer from the right hon. Gentleman the Secretary for that country, showing that Ireland had paid at least her share of this tax, and even a larger proportion than England had ever done. He was glad that this malicious and unfounded charge had been brought forward, and had received such a retort. He unhesitatingly asserted that in that part of the country with which he was connected, no undue favour had been shown to the landlord, the magistrate, or any other person; and if the hon. Member had made proper inquiries, he would have received the same assurance with respect to a vast majority of the unions. He felt thankful for the vote which Government had proposed, and hoped that their future measures for Ireland would be brought forward in a similar spirit. There were several points of difference between the poor-law of Ireland and the poor-law of England which he would desire to see adjusted. The expense of educating the children of the poor in England was paid out of the public funds, while in Ireland it was paid out of the poor-rates. In England half of the expense of medical relief to the poor was paid out of the Consolidated Fund; while in Ireland the whole expense of medical relief was paid out of the local taxation. A return which he intended to move for, would, he believed, show that in England assistance was given for the purpose of pauper emigration out of the colonial fund, while in Ireland the whole charge fell upon the poor-law unions. He believed that that return would prove that vast favouritism was shown to the richer country—England—and that three-fourths of the funds granted for emigration were expended on England. He could not agree with the noble Lord who had introduced the subject when he stated that the poverty of Ireland was sensibly diminishing. He could only say that in his union the increase in paupers within the last four months had been 900 persons. When the present board of guardians came into office, there were 1,700 persons receiving indoor relief, and 200 outdoor relief. Since then outdoor relief had been abolished, and the number of indoor paupers had increased to 2,700 persons. He had received a letter from the vice-chairman of the board, and it informed him that the increase of paupers was going on at the rate of 100 per week, and that orders had been given to hire additional house accommodation to prevent the relief being outdoor. He hoped the House would not be led away by official returns. Though in some parts of Ireland the amount of relief might have decreased, he felt certain that that must be attributed to the fact that out-of-door relief had been abolished in a great many unions. The poor in that part of Ireland in which he resided were in a most deplorable condition. Ablebodied men could be obtained who would be glad to work for the miserable wages of a shilling a week, with two meals of Indian corn per day. That was the actual rate of wages among the farmers all over the union in which he resided. The truth was that the agricultural interest was so depressed that no farmer, no landlord, could afford to give one half the employment that he could give some four or five years ago. The consequence was, that thousands were thrown out of employment throughout Ireland, as agriculture was the only source of employment for the poor. It was all very well to boast of cheap provisions, and of that lessening the pressure on the rates; but of what value were cheap provisions to a man who could get no employment or wages ? He might give the answer which a poor peasant gave to him before he left home. He met the man, and asked him, "I hope you have got good work now that food is cheap." The man replied, "Oh, sir, food is cheap, but we have nothing to give for it. There, over the way, is an honest farmer who used to employ me and seven or eight others; he to-day employs one, and has not given me a day's work for the last twelve months. I am consequently starving, and was going up to your house to ask for some assistance." He had heard fifty others in his neighbourhood hold similar language. However much free-trade measures might have benefited Manchester or Birmingham, they had been the ruin of Ireland. The Irish were an agricultural people, and had no employment to fall back upon if agriculture were destroyed. Their fate must be either starvation or the workhouse. If, as he had said and believed, their free-trade measures had ruined Ireland, they must pay for it to save the people from starvation. They would have more grants of 300,000*l.* coming upon them, for this, he could assure them, would not be the last.

SIR W. SOMERVILLE, in explanation, said, that in mentioning the proportion of rates collected in Ireland, he had in some respects overstated the case, and in others understated it. He had said that 96 per cent of the whole rates had been collected since the poor-law came into operation, thereby leaving the house to understand that four per cent had been lost. That was not so; for he ought to have deducted a portion of the rate now in course of collection. The real state of the case was this: Of the rates made previous to the last rate, there had been 94 per cent, collected and lodged; the remaining 6 per cent was not lost, but 4 per cent of it had been carried as arrears into the last rate. Of the entire collection since the law had been in force, only 2 per cent had been declared irreclaimable. Therefore, though he might have overstated the case one way, he had rather understated it in the other. That was the real state of things, and it fully bore out the inference he had drawn.

MR. BRIGHT said. the Committee would see at once that the statement of the right hon. Baronet had nothing whatever to do with the statement he had made. Everybody throughout Ireland knew, that to speak of Ireland on the whole was an entirely different thing from speaking of the unions, about which he had given the House information. Taking the whole of Ireland, the rate would be found to be low; and were he to argue, as some hon. Gentlemen had been arguing, he might say that the Government had very small cause indeed to come to the House for an advance of 300,000*l.* or 500,000*l.* The whole rate throughout Ireland was not very heavy, less probably than the average of rates in many parts of this country. That afforded no ground whatever for coming to this House for grants. Leaving that out of the question, he came to the particular unions. There were some in which he could not say how large the arrears were, but the largest portion of those arrears was due from the owners of land. He had named three unions, with respect to two of which he was certain, and he believed the case was the same in the third—Clifden, Ballinrobe, and Castlebar. At any rate, he had truly described the powers which the present poor-law guardians had to enforce the collection of the rate; and the right hon. Secretary for Ireland would be able to say whether that description did not correspond with the fact. If a landowner was in arrear, the guardians could apply to the magistrates for an order; having obtained this, they could apply to one of the superior courts, and get a decree or judgment. This became a judgment upon the land, to the extent of the amount of rates owing to the union; but the difficulty of obtaining those arrears of poor-rate from the landed proprietors, owing to the existing state of the law, was so great that it was almost impossible that these arrears could be collected. He did not bring this as a charge against the owners of the land in many cases, for he believed many of them were in such a condition that they had no funds out of which they could pay; and if the law was such that the land itself could not be laid hold of to pay these arrears, it was quite possible that the proprietors or the guardians might not be to blame. But such was the fact which required the attention of the Government before they came to the House, and asked for further grants of money. The hon. Member for Kerry had said that his (Mr. Bright's) statement was a calumny, and, what was worse, a cowardly calumny. He had not mentioned the names; but the hon. Member might see the whole if he would walk to that side of the House. The reason why he abstained from naming the individuals was, he believed there were persons in that list to whom it could not be imputed as anything blameable that their rates were not paid, for such had been the embarrassments of property in past times, and such the state of the law, that they had no funds at their disposal. But that there were such cases, he was prepared to show. He had taken the particulars from the books of the union; he had them from the highest poor-law authorities in the union; and he was as confident as any one could be, on the best evidence, that what he had stated was correct. He should not give the names of those gentlemen to the House. He was quite certain he was pursuing the right course in doing so. He was only pointing out a fact or a series of facts to the Government, in order that their attention might be drawn thereto. He had no wish to make a great public matter like that a ground of personal attack, or to create ill feeling amongst men, some of whom perhaps might be much more to be pitied than blamed in this matter.

Lord NAAS felt himself constrained to advert to the most extraordinary charges against individuals brought forward by the hon. Member for Manchester. He declined to mention names; but he had declared that certain proprietors in Ireland were using every means in their power to evade payment of the poor-rates; that they were paying their keepers to keep the bailiffs out of their houses; and these charges were brought against Members of that House. Now, he asked whether it was fair for any Gentleman to stand up in this way and make such charges without giving names, so that the class against whom they were made might have an opportunity of vindicating themselves? He asked him whether he would or would not state the union, at least, where these acts had been committed, in order that some Member might move for papers to show whether the accusation was founded in fact or not? Then the hon. Gentleman stated that Ireland paid a less measure of poor-rate than England did. [Mr. Bright had only put a hypothetical case, believing that on the whole of Ireland the average rate might be lower than in England.] The hon. Gentleman had given them to understand that Ireland was taxed in a lesser degree for the poor-rate than England was. He might talk of putting a hypothetical case and taking averages, but no person who heard his statement could, if he believed it, come to any other conclusion than that the Irish people were taxed in a lower degree than the people of England. Now, perhaps he had never read the protest entered by the Earl of Rosse on the Journals of the House of Lords with reference to the rate in aid. That document showed, on the question of local taxation, that the rateable property of England was 105,000,000*l.*, and the local taxation 12,000,000*l.*, just 2*s.* 3½*d.* in the pound; whereas the rateable property of Ireland was 9,898,566*l.*, and the local taxation 4,224,315*l.*, just 8*s.* 4*d.* in the pound, or nearly four times the local taxation of England. He trusted this would be the last time he should hear the unfounded statement that England was taxed for the support of the poor higher than Ireland; and he would again express a hope that the hon. Member for Manchester would see the propriety of at least stating the name of the union in which the parties to whom he had referred resided; also, at what time the letters he had alluded to were written to the Castle; and that he would give the name of the Member who, as the hon. Member had alleged, had not paid his rates.

Mr. TRELAWNY remarked, that the noble Lord at the head of the Government had omitted to state that half the relief to the poor in Ireland was supplied by England. ["Oh, oh!"] He would maintain the truth of the proposition, that so long as the distress arising from the famine lasted in Ireland, the people of this country, in addition to their own poor-rates, contributed one-half of the expense of supporting the poor in Ireland. [Sir H. Barron: It was a loan to a portion of the united kingdom.] It came to the same thing, for what was the meaning of a loan to Ireland? He objected to the phraseology adopted by the hon. Member for Manchester when he spoke of the Irish landlords refusing to let their land on reasonable terms. He could not understand how a free-trader could consistently with his own doctrines, use such language. The right hon. Baronet the Secretary for Ireland had said that the amount of money actually raised in Ireland under the poor-law was 96 per cent of the whole charge. [Sir W. Somerville: 94 per cent.] If that was the case he could not understand on what principle it was that the noble Lord came down to that House and asked for an additional grant from this country for the relief of the Irish poor. He had always conscientiously opposed these grants, and should take the same course on the present occasion.

Mr. TORRENS M'CULLAGH said, that hon. Gentlemen opposite had unnecessarily identified themselves with the charge made by the hon. Member for Manchester. For one, he felt grateful for the proposition now made by Ministers, and must protest against the insinuation of the hon. Member for Tavistock (Mr. Trelawny), that every loan to Ireland was a loss to England. The hon. Gentleman reminded him of a story that was told of the late Mr. Grattan: A young Member asked him, on one occasion, who was the person addressing the House? "That, Sir, is Sir R. Cox, a gentleman who is never at a loss for a word, and that a bad one." For the hon. Gentleman (Mr. Trelawny) had lectured everybody—the Minister who introduced the present proposal, the hon. Member for Manchester, and, finally, the representatives for Ireland. The proposal of Government would give an opportunity to the indebted districts to redeem themselves by a course of honourable industry. As to the unions alluded to by the hon. Member for Manchester, he believed the fact was that the property liable to the rates in arrear was not in the hands of the parties whose names were not on the rate books. In Clifden union the largest property in arrear was in the hands of the mortgagee, an English insurance company. But it was a great mistake for hon. Gentlemen opposite to show such sensitiveness, and make common cause with the defaulters. Nobody could imagine that the hon. Member for Manchester meant to make a sweeping charge against the whole of the landed proprietors of Ireland. The rateable property in that country was a little under 13,000,000*l.*, and the total charge thereon for the poor-rate for each of the last two years was about 2*s.* 6*d.* in the pound. Every one knew this was greater than the average in England. If the Irish people showed their willingness thus to assess themselves, not only for the current expense of the poor, but for the repayment of advances, it was not fair to charge them with indisposition to repay the loans. It was most ungenerous and unfair to be continually repeating this charge.

Mr. H. A. HERBERT declared that neither he nor his noble Friend the Member for Kildare felt themselves identified with the persons against whom the charge had been made by the hon. Member for Manchester. On the contrary, they disclaimed it, and felt that parties guilty of such conduct ought to be held up to public odium. They thought such a charge ought not to be brought forward against any body of men; but so far from identifying themselves with it, they disclaimed it. The party guilty of such conduct should be shown up, and the Government that screened any person of the kind should be shown up also.

Mr. SADLEIR said, that by the Act of last Session most summary powers were given to the boards of guardians for the recovery of arrears of poor-rates, as against the owners of land in Ireland; and if any fault was to be found with those powers, it was that they were too excessive. Any judgment obtained under that Act would become not a judgment or incumbrance upon the land, of the date of the judgment, but would stand in an unparaleled position as a first charge upon the land. Every precaution had, therefore, been taken by the Commissioners to confer upon the boards of guardians the most stringent powers for the enforcement of arrears of poor-rates upon owners of land. With respect to the statements made by the hon. Member for Manchester, confounding, as they did, two different classes of landlords, he believed that they would, if indulged in, do more to retard the prosperity, industry, and recovery of Ireland, than any statements or any legislation, however mischievous, which could be conceived by the basest enemy of the country.

Mr. BRIGHT said, that the clause of the Act, which defined what the law was with respect to the recovery of the rates, agreed with the statement which he had first made, and with the information he had received from the poor-law authorities in Ireland [the hon. Gentleman here read the 17th and 18th clauses of the 12th and 13th Victoria, c. 104]; the authorities to whom he referred described the process of law to be exceedingly tedious. In one of the unions to which he alluded it was stated to him by the vice-guardians that there was extreme difficulty, in consequence of the tardy operation of the law, in obtaining the payment of the rates, although they did their best to collect them. Therefore it was that he said there ought to be a more rapid mode of recovery if the Government came to that House to ask for advances.

Mr. MUNTZ thought that it was anything but a matter of surprise that Irish Gentlemen should be thankful for the proposal now made by the noble Lord at the head of the Government to advance them more money. Placing himself in their position, he could well feel how fair and reasonable it would be for him to support the views of Her Majesty's Government in this respect. There was, however, another party who were very much dissatisfied with respect to this matter, and that was a party composed of the honest and industrious people of England. They asked, and with justice, how much longer the system of giving grants was to last? The noble Lord had come down to the House year after year to ask for grants, but he had never told the people of England what was the matter with Ireland. Year after year they were told there was a great famine. Well, but was that famine never to come to an end? Were Her Majesty's Ministers for ever to hang their coats upon that peg? Would they not even fix some date, if only a distant one, when they thought the effects of this famine would cease? He had told the Government last year that they would be sure to come down again this year for a grant, and it had just turned out as he had predicted. He also told them that he would not vote for the grant, and never would for any other, and he would not vote for this. Was there a single man in the House who believed that the money would ever be repaid by Ireland? He always felt some delicacy in speaking of Irish affairs, as he could hardly be supposed to know so much of them as some other hon. Members, but still there were certain general principles upon which a person in his situation could speak his opinion without knowing much of the condition of the proprietors of land in Ireland. His constituents told him that they were taxed heavily, that there was no famine now; on the contrary, everybody was complaining that the produce of the land was too cheap. He could not understand what this money was again wanted for. An end must be put to this system of constantly taking grants for the people of Ireland. The Government ought to set about, as was their duty, to find out what was the real cause of the distress. They had no right, till they had done that, to come down to the House every year, with the burden of which they saddled posterity. He protested against any grant, loan, or fund, which was thus sought to be added to the national debt, to be paid by those who had no voice in contracting that debt. If the money was to be raised, why did they not give it up at once, and be done with it, out of the surplus revenue that was spoken of? That would be an open straightforward course. It was never meant to be repaid, and it was never expected that it would be returned; it was intended only to add it to the national debt, which posterity was to pay. He should most certainly give his vote against the measure.

Lord J. RUSSELL did not think the hon. Gentleman's speech had at all suffered from that delicacy which he said he felt when speaking of Ireland. The hon. Gentleman generally spoke out pretty boldly when touching upon Irish subjects. The hon. Gentleman could not have been present when he (Lord J. Russell) made his statement in the early part of the evening, because if he had he would have learned what the reasons were upon which he (Lord J. Russell) proposed that the present advance should be made; and he would also have known that he (Lord J. Russell) stated that Ireland was not now suffering from famine. The hon. Member said it was a grant; for, whenever any money was asked for Ireland, there was no chance of its ever being repaid. They heard the same language last year; but the House consented, notwithstanding those forebodings, to advance 250,000*l.* for the relief of the very great distress that prevailed. That was made on a tax which they were told, and very truly, was exceedingly obnoxious to the people of Ireland—that the people of the north would think it unjust, and that, independent of the burden, it would create a feeling of the injustice of being taxed that would cause great difficulty in repayment. But, notwithstanding that, 150,000*l.* of that sum had been repaid within six months. That did not show such an extreme difficulty of having any repayment made in Ireland; and with regard to the other 100,000*l.*, he believed it would be repaid in a very short time more. He hoped the hon. Member for Tavistock would not think it necessary to divide the House, especially in the present state of the business, for he believed the question then was that the resolutions should be reported to the House. It would be necessary to put the question into the shape of a Bill, and then it would be competent for the hon. Member for Birmingham, or any other hon. Member, to object to this proposal. He had no objection to its being thoroughly canvassed, because he thought the favour with which it was first received by the House would be justified by the nature of the case.

Colonel SIBTHORP said, that he should oppose the Bill at a future stage.

Mr. M. O'CONNELL said, the hon. Member for Birmingham had stated that his constituents were always asking what was the matter with Ireland? That question was easily and shortly answered. The legislation for Ireland had been first for a class, then for a sect, and then again for a class; almost with perfect ignorance of her interests, her wants, and her wishes.

Resolutions to be reported on Monday next.

COURT OF CHANCERY (IRELAND) BILL.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a Second Time."

MR. ROUNDELL PALMER said, he did not rise upon that occasion to offer any objection to the second reading of this Bill, the introduction of which he had seen with very great satisfaction, because he believed it was an opinion almost uniformly entertained in the Court of Chancery that a very extensive system of reform, proceeding on such a principle as was incorporated in and attempted to be carried into effect by the present Bill, was absolutely necessary to restore efficiency and complete utility to the Court of Chancery both in England and Ireland, and for the purpose of clearing an institution in many respects amongst the most useful and important to the country of the very serious defects which made recourse to it so costly and difficult, that if those defects were not removed, justice in that very important department would be very soon in a degree of discredit which it could not be for the welfare of the country should be permitted to continue. He did not think that that was the most convenient stage to enter into a particular discussion of the details of this measure, and he should not then have intruded on the attention of the House but for the circumstance that he thought his hon. and learned Friend the Member for Coventry, who was then absent, had been greatly misunderstood—he had almost said misrepresented—not by his hon. and learned Friend the Solicitor General, but elsewhere, with reference to the part which he took on this subject some evenings ago. He believed it was perfectly well known to every one connected with the Court of Chancery in England, that his hon. and learned Friend was as anxious for the reform of the abuses that had crept into the administration of justice in that court—or he, should rather say, for the removal of the obstacles to justice that now existed there—as any person; and if it were supposed that his hon. and learned Friend was insensible to reform in that court, it was an impression most erroneous, and founded on an entire misunderstanding of his views on the subject. The opinion of his hon. and learned Friend was much too valuable in that House, and elsewhere, to allow of its being misunderstood. In the Court of Chancery no authority was higher than that of his hon. and learned Friend; and if he were opposed to the principle of a measure of this description, it would indicate a very different state of feeling and opinion in that court from what really prevailed. The practitioners of that court were as nearly unanimous in favour of the principle on which he (Mr. Palmer) understood this measure to be founded as possible, and also that a measure founded on that principle should be applied to the Court of Chancery in England as well as in Ireland. The question was only as to the means or details by which that should be done; and he was quite sure his hon. and learned Friend the Solicitor General would be the first to say it was extremely desirable that those means and details should be maturely considered; and that there should be the fullest contribution of the advice of all persons capable of forming an opinion upon it to make the measure as perfect as possible. He would only add one word, and that was the circumstance that this Bill was introduced for Ireland only, and not for England. Upon that point he was willing to confide in the discretion of the Government. It was, no doubt, very important that there should not be a series of changes on this subject, and, therefore, if there were a fair opportunity of making an experiment of those parts of the measure which were uncertain in their operation, it might perhaps be desirable to make it in Ireland only, instead of in Ireland and England together.

MR. J. STUART wished to state to those hon. Members who came from Ireland what this Bill was. He would take the liberty of asking them whether they knew what they were about to do in voting for this Bill? If he could show that its effect would be to increase the expense and delay of litigation, and to interfere with matters which ought not to be regulated by the direct interference of Parliament, although under its control, such a Bill ought not to be passed. From the feeling of the House, he thought it highly probable that his hon. and learned Friend the Solicitor General would succeed in carrying this Bill through the present stage; but he asked it of the fairness of Irish Members in that House, to apply their understandings to one or two points which he should submit to their respectful consideration. The object of this Bill was entirely to remodel the course of practice and pleading in the Irish Court of Chancery. He did not think there were four men then in the House who knew much on the subject. This he said with all respect, hoping that those who were conversant with such matters would rightly understand what the Bill was. What he wished to submit to their consideration was this:—He conceived that the Lord Chancellor of Ireland was the individual answerable for the course of practice and pleading in his own court; that he held his office upon those terms of responsibility on which a great officer of State ought to hold his office; and that if there were great abuses in his court, as he (Mr. Stuart) believed there were, he was answerable, and was bound to rectify them. But the House was now invited to discharge those duties for him. He would ask the hon. and learned Solicitor General, or some hon. and learned Member who might support this Bill, why the Lord Chancellor of Ireland did not reform the course of practice and pleading in his court? Could any hon. Member show that without the interference of Parliament it could not be done? His hon. and learned Friend the Member for Plymouth, to his great surprise, had taken an entirely different view of this Bill from his hon. and learned Friend the Member for Coventry, who spoke the other night, and whose character he had risen to defend from misapprehension. He had described his hon. and learned Friend as a man of high authority in the Court of Chancery, and he was justified in doing so. They knew his hon. and learned Friend to be an honourable and independent man, and he had stated in that House reasons hitherto unanswered, why this Bill should not pass into a law. He wished to ask the noble Lord at the head of the Government, and hon. and learned Members who ought to give the House some sufficient reason for legislating in a way in which that House had never legislated before, why they were in that House to settle rules of practice for the Court of Chancery in Ireland? His hon. and learned Friend the Member for Plymouth hoped that something would be done to improve the Court of Chancery in England as well as in Ireland. He hoped so too, because he knew there were grievances; but he expected the reform of the Court of Chancery in England to proceed from that high authority who was bound by his office to do his duty, and was armed with full authority by Parliament for that purpose—the Lord High Chancellor. Let hon. Members look at the first clause of this Bill. It was a sweeping enactment to substitute a mode of proceeding by petition instead of proceeding by bill. How many hon. Members then in the House were acquainted with the details of such proceedings, or knew the difference between a petition and a bill in Chancery? and yet he saw an array of hon. Members summoned by the Government to support them in passing this Bill. But if they were to enter on the consideration of this Bill, he was prepared to show, in a manner consistent with the intelligence of any man of common sense, why this proposal to substitute petitions for bills was an entire mistake. First of all, however, he must protest against that House assuming cognizance of any such question; and he addressed himself to those Members of the Government who were laymen, but whose duty it was to attend as well to the Court of Chancery, as one of the great institutions of the country, as to any other institution which they were bound to preserve and put into a perfect state. He contended that the Lord Chancellor had the power of doing all that any man could say was useful in this Bill. If he were right in that proposition, what followed? If they took the work of the Lord Chancellor of Ireland out of his hands—if they assumed as the House of Commons to pass these minute regulations on points of practice, and course of pleading, which it was his duty to make, did they not deprive his office of all that responsibility which alone could give to it its dignity and public utility? Upon that ground alone he felt it his duty to move that this Bill should be read a second time that day six months, however small the number of Members who would vote with him. He was aware that his hon. and learned Friend the Member for Coventry proposed to bring in a measure with reference to the Court of Chancery in England. When they came to deal with that measure it would be time enough to consider its scope. But if it was to give the Lord Chancellor greater power than he now had to rectify abuses in his court, he should be ready to support it, when he knew that such power was really wanting. But why had we hitherto had no measure of the kind in England? Because we had at the head of the Court of

Chancery in England a learned Judge, who, however much he (Mr. Stuart) might differ from him on political matters in many points, he would say was a Judge to whom the public owed the greatest obligations; who was possessed of great talents and great learning; who had discharged the functions of his office—he (Mr. Stuart) spoke of his judicial functions, not of his political, to which he (Mr. Stuart) took great exception — in a manner that had made him pre-eminent; who had restored to the Court of Chancery that degree of dignity and importance which he (Mr. Stuart) grieved to say had been previously somewhat impaired, and created that confidence in his learning and integrity in administering the duties of his office, which made every member of his bar concur in saying he was eminently fitted to preside over the court which he so much adorned. He (Mr. Stuart) was happy to bear testimony, when it could be borne with truth, to the merits of any individual Member of a Government, however he might be opposed to the general policy of that Government ; but, having mentioned his opinion of the capacity of the Lord Chancellor of England, he asked what was the House to infer from it with reference to such a Bill as this being brought in for the Court of Chancery in Ireland ? The Lord Chancellor of England had never sought the assistance of the Legislature. He knew he had the power to rectify the proceedings of his court, and that any regulations he made would be received with respect and confidence, and that if they failed in their operation, he would, from the knowledge of his good intention, restore confidence, and have the vigour and power to make such further reforms as might be necessary. No Bill was introduced for the English Court of Chancery because none was necessary. Why was there one necessary for Ireland ? Parliament had lately been legislating for Ireland, and for the landed property of that country in particular, without the slightest success. Year after year Bills had been brought in, founded doubtless on just complaints regarding the Court of Chancery; but hitherto those measures had proved signal failures. [Mr. Keogh: No, no!] An hon. and learned Member behind him would except the Bill passed last Session for facilitating the sale of encumbered estates, but he would advise that hon. and learned Gentleman not to halloo till he was out of the wood. Perhaps the hon. and learned Gentleman would inform the House how many estates had been sold under the Commission. When the Bill was before the House last year, he (Mr. Stuart) said that it provided for the appointment of three Commissioners to do the duty of the Lord Chancellor of Ireland; and he said so still. He had not the honour of knowing the Irish Lord Chancellor—he was not sure that he even knew his name; but whoever he happened to be, he was one of the most fortunate of mankind. Last year he succeeded in persuading the House to appoint a Commission, at the expense of English as well as Irish pockets, to perform duties which he ought to discharge himself; and now, here was another Bill introduced to relieve him from further trouble and responsibility. We had encumbered estates in England, and they were sold, without giving rise to any complaint, under the jurisdiction and management of the Lord Chancellor of England. Why was not the same thing done in Ireland ? It might have been expected that the hon. and learned Solicitor General for Ireland, who sat opposite, would have availed himself of the proposed second reading of the present Bill to make an exposition of the horrible abuses which were said to exist in the practice of the Court of Chancery of Ireland, and proposed to be remedied by this Bill. If the Lord Chancellor of Ireland would discharge his duty, one half of the legislation which was going on would be unnecessary. Complaints were constantly made against receivers in Ireland; but those were in fact complaints against the Lord Chancellor, whose officers those receivers were, appointed by him, and entirely under his control. When Sir E. Sugden was Lord Chancellor of Ireland, there were comparatively few of these complaints against receivers. This Bill had been evidently prepared by the Irish Lord Chancellor, in conjunction with the Irish Solicitor General; and he (Mr. Stuart) thought that hon. and learned Gentleman, and not the Solicitor General for England, ought to conduct this Bill through the House, and explain why it was necessary, and what was its nature.

Mr. HATCHELL said, he was not a Member of the House when the Bill was introduced.

Mr. STUART: The hon. and learned Gentleman was a Member of the House when the second reading was moved. Did any Member of the Opposition then come forward and say that it was necessary to have a Bill to facilitate the sale of encumbered estates by reason of abuses in the Court of Chancery? But his objections to the measure augmented when he came to look at its provisions. The great scope of the Bill was to alter the mode of pleading in the Irish Court of Chancery from bill and answer to petition. This was not a new matter. In 1812 the hon. and learned Solicitor General's honoured father introduced a Bill to give the Court of Chancery in England a limited jurisdiction by way of petition—it was limited to cases of charities. The experience of the past must guide us as to the future. If he could be satisfied that the present Bill would shorten the way to justice and diminish expense, he would go as far as any man in endeavouring to pass it into a law. But what did he find with respect to the Act of 1812? As long as the jurisdiction by petition was limited to charity cases, its operation was eminently beneficial; but when Sir Thomas Plumer extended it to the celebrated Ludlow case, in which the controversy turned on title to land, the result was most unfortunate. Sir Thomas Plumer made what he believed to be a sound order on the petition presented in that case; but an appeal was entered in the House of Lords, and after ten years had been lost, and thousands of pounds expended, this order was reversed, and the case commenced afresh in the old form of a bill and answer. That was a case parallel to many which might be expected to occur under the operation of the present Bill, should it ever become law. The measure would effect no saving of time or expense, but, on the contrary, would increase litigation, and add to the profits of lawyers. Now this was the sort of proceeding which this Act intended to authorise. [MR. COCKBURN: Hear, hear!] The hon. and learned Member for Southampton might think ten years of litigation a very good thing, and so it was—for lawyers. Every one who thought that an advantage, would support this Bill, but he was not one of those persons. These schemes for accelerating the pace of justice did not always fulfil the expectations of their projectors. For instance, he understood that the Commission appointed under the Encumbered Estates Bill had not yet sold a single acre; but all the proceedings in the respective cases were going on, and the estates were being eaten up by double sets of costs, for almost every encumbered estate in Ireland was before the Court of Chancery, and devoured by the double costs of those two tribunals. From an announcement recently made that the proceeding in sixteen causes before the Irish Court of Chancery had been stopped, he feared that the estates had, in those cases, been swallowed up by the costs. There was no mode of proceeding so unsatisfactory as that of commencing by petition, when important disputes were to be decided; for it rendered it necessary for the parties to enter into a contest of affidavits at enormous length and enormous expense, and without ever fairly joining issue on the rent question. The first question, he repeated, was whether they were or were not about to execute duties which properly devolved on the Lord Chancellor of Ireland? and if they were to interfere, he would ask the hon. and learned Solicitor General for Ireland whether the Lord Chancellor for Ireland had framed the Bill, or to what extent he approved of it, so that on the subsequent stages they might be better able to decide how far their interposition was required. In the meantime he begged to move that the Bill be read a second time on that day six months.

MR. HEADLAM said, that his hon. and learned Friend had contended that this House could not, or at any rate ought not, to interfere by legislation, because the Lord Chancellor of Ireland had power to make orders which would have the same effect as the enactments of the Bill. He (Mr. Headlam) contended that the Lord Chancellor of Ireland had no power to make such order. And he further argued that even if the Lord Chancellor of Ireland had such power, still it was no reason why the House should not legislate upon the subject. For it was quite clear that no such power had been exercised, and no such orders had been made, nor was there the least reason to suppose that such orders would be made without the interference of the Legislature. Consequently, as the Lord Chancellor of Ireland had power to make such orders, it was no reason why the House ought not to proceed with the Bill; but the least investigation of the Bill would satisfy the House that the Lord Chancellor could not thus proceed by order; for instance, by the 15th Section it was provided that in certain cases the orders of the Masters in Chancery should have the effect of orders of the Court. Now it was quite out of the question to contend that the Lord Chancellor could, without the assistance of the Legislature, give such authorities to the Masters, or delegate to another the powers vested in him by the constitution. The Bill of Sir S. Romilly, so far from being open to the animadversions of his hon. Friend, was one of great utility; and although it had been construed with great jealousy, and there had been several decisions upon it most materially confining its operations, still it had materially reduced the expenses in many proceedings, so that the inference to be deduced from that measure was in favour of the present Bill; and his hon. Friend was not happy in quoting it as an argument against similar measures being adopted hereafter. The fact was, that the Bill now before the House is closely directed to the great defects of the Court of Chancery, which are—first, the expensive and voluminous proceedings before a cause is at issue; secondly, the additional great mass of documents that accumulate, after a cause is at issue, under a system which requires all evidence to be in writing; and, thirdly, the manner in which, when a cause is ready for a decree, references are made to the Masters of the Court. Hon. Members know that a reference to a Select Committee is often identical with a decision to shelve a matter before the House. How would business be conducted if all matters before the House were referred to Select Committees to report upon before decision was ever adopted? This Bill provides a remedy for the first of these evils, namely, the length of modern pleadings, by enabling the parties to proceed upon petition. It abolishes the necessity for documentary evidence, by enabling evidence to be taken *vivâ voce;* and, lastly, and what was really the most important part of the Bill, it prevented the necessity of a cause being bandied backwards and forwards between the Court and the Master, by enabling the Master to make orders having the effect of orders of the Court; and by enabling simple matters, such as the administration of the estates of deceased persons, to be at once referred to the Master. This was somewhat on the principle of the Joint Stock Companies Winding-up Act, which had been the means of doing justice in cases of great difficulty, and *à fortiori*, would be effectual in matters so much more simple in their nature. In conclusion, he (Mr. Headlam), without pledging himself to all the details of the measure, expressed a strong opinion that it would tend to make the Court of Chancery an institution more suited to the spirit of the age, and the wants of modern society.

Mr. KEOGH said, that as the hon. and learned Member for Newark had flung his challenges very boldly about the House, and was rather imprudent and discourteous in asserting that there were not four men in the House who understood the subject, especially when he recollected that the hon. and learned Attorney General for England, the hon. and learned Member who introduced the Bill, the hon. and learned Solicitor General for Ireland, the hon. and learned Member for Coventry, the hon. and learned Member for Plymouth, the hon. and learned Member for Southampton, and the hon. and learned Member for Newark himself, were all present. He believed that the anticipations of the hon. and learned Member were unfounded. He had asked the House had the Encumbered Estates Bill effected their object, and made several lively remarks upon a single estate not having been sold as yet under its provisions. He (Mr. Keogh) would ask the hon. and learned Member, however, how long had that Bill been in operation? Why, only four months. What would have taken place if a bill in Chancery had been filed for the same period. Why, the hon. and learned Gentleman must be perfectly well aware, if he filed a bill in one of the simplest causes, four years, and not four months, should elapse before a sale could be effected. He (Mr. Keogh) knew of a suit where the bill was filed in the year 1794, in which the estates were not sold yet. Suppose a bill were filed in the Court of Chancery in England, what time would it take? [Mr. Stuart: Six weeks.] In Ireland it would take two months. If the plaintiff chooses to amend his bill, two months more. If a single party in the suit dies, there must be a bill of revivor filed. He happened to be attending professionally before the Commissioners for the Sale of Encumbered Estates. It was necessary to produce a certificate from the Court of Chancery showing the state of the case. The extent of the Bill was twenty-three skins of parchment, and there was a supplemental bill of seventy-two skins. There were sixty or seventy defendants in that suit, but there was one circumstance worthy the attention of the hon. and learned Member for Newark, that the same counsel who signed the original bill, signed also twenty-five answers of the defendants. No English lawyer in that House could, and certainly no English layman could at all estimate the enormity of the evil inflicted by so expensive and tedious a proceeding upon a poor country like Ireland. Such costly and cumbrous machinery was bad enough in England, but in Ireland its evils were quadrupled. There could, therefore, be few greater boons to that country than a measure which would render Chancery suits of shorter duration and less expensive. The hon. and learned Member for Newark urged another objection against the Encumbered Estates Bill—namely, that it had not stopped suits in Chancery; but he answered himself in the same breath, for he said he was horrified at reading in a newspaper that sixteen Chancery suits had been stopped by it. He accused the House of supporting a measure without understanding it. For his (Mr. Keogh's) own part, he could truly say he had taken pains to understand it; and if the hon. and learned Gentleman carried the provisions of the Bill in his memory, he must know that the moment the order of sale was pronounced under the Encumbered Estates Bill, that moment the Commissioners must, by the very wording of the Act, send a notification of the fact to the Lord Chancellor, who would immediately cause all proceedings in his court to be stopped. He believed the hon. and learned Solicitor General would agree with him in this statement. [The Solicitor General: Hear, hear!] The hon. and learned Member asked why did not the Lord Chancellor of Ireland reform his own court? The hon. and learned Gentleman had not treated the Lord Chancellor of Ireland well. The hon. and learned Gentleman said, he did not even know the name of that learned person; but they who came from Ireland were bound to know the names of the past and the present Chancellors, and Chancellors who were to be. But although the Lord Chancellor of Ireland laboured under the disadvantage of being unknown to the hon. and learned Member for Newark, he had yet the consolation of knowing that he was esteemed and respected by the members of his own profession, and that he had secured the confidence and goodwill of all parties in Ireland. He (Mr. Keogh) had not the honour of enjoying the confidence of that distinguished functionary, but he believed there was nobody who knew him that did not respect him. The hon. and learned Gentleman asked why the Irish Lord Chancellor did not reform his court. He (Mr. Keogh) would endeavour to give an answer. He remembered sitting in company with the right hon. Baronet the Member for Ripon, upon a Committee appointed to inquire into this very subject of Chancery reforms. He remembered also before that Committee a gentleman was examined, whose name the hon. and learned Member for Newark would probably know—Sir Edward Sugden, and that, on Sir Edward Sugden being asked why those changes and reforms had not been introduced by him, he replied that he had made great reforms in particular branches of the Irish Court of Chancery, but there were certain other and more important reforms which he could not properly attempt, and which he doubted his authority to carry into operation, for many of those practices which it was desirable to reform had been long established, and had, in a manner, been sanctioned by custom, and had been conformed to by the profession for a long course of years. The hon. and learned Gentleman said that the grossest abuses existed in the Court of Chancery in England; and, indeed, the moment this measure was introduced, English barristers vied with one another in declaring the necessity of reform. Now, he asked the hon. and learned Gentleman why, if the Lord Chancellors of England had the power to reform (and surely they had as much power as the Lord Chancellors of Ireland), why, he repeated, the English Lord Chancellor had not reformed those abuses? The hon. and learned Gentleman said there were not even four lawyers in the House who understood the Bill, although this Parliament contained a greater number of barristers (if not lawyers) than any within the memory of man. Well, but the hon. and learned Member for Coventry seemed to think legislation for those abuses was requisite, for he gave notice of his intention to bring in a Bill to suppress them. If the Lord Chancellor could *per se* remedy them, where was the need of the interference of the hon. and learned Member for Coventry? The hon. and learned Gentleman said, that if the Bill lessened the time of the suit, or diminished the expenditure—if it made law cheap and accessible, he would support it. How could the hon. and learned Member doubt that it would have these effects, if indeed he had himself perused the Bill? For, in the first place, it proposed that a simple petition might be filed by a party, briefly stating his rights; that the opposing party might thereupon put in his answer, and annex interrogatories to his petition. But there was a new and a great ingredient introduced into this Bill—one that had been often desired by the most eminent Judges, and one the absence of which was constantly felt in courts of equity, namely, that evidence might be taken *vivâ voce.* The hon. and learned Gentleman seemed to forget another provision in this Bill—a most valuable provision, namely, that persons who wished to enter into tedious and expensive litigation, and who objected to proceedings under the Act, must give security for the costs incurred in such proceedings. That was a wise and a salutary provision, for in Ireland many estates were encumbered beyond their value. The defendant clung to the soil, and determined upon getting as much as he could out of it, knowing that in reality it was no longer his own. But by the litigiousness and delay which he caused, the honest creditor was put to great expense, which he could never be reimbursed in consequence of the needy circumstances of the defendant. The provisions, too, of the 12th Clause were most important. They were—

> "With respect to the administration of the estate of a deceased person—with respect to the foreclosure and redemption of mortgages—with respect to the appointment of new trustees—with respect to the appointment of guardians and the allowance of maintenance to infants—and with respect to such other branches of the said jurisdiction as the Lord Chancellor of Ireland, with the assistance of the Master of the Rolls in Ireland, by any general order to be made as hereinafter provided, shall from time to time direct to be within the scope of this Act, the Court may, on the application of petitioners, and on the production of such affidavit or verification as aforesaid, by order made in a summary way, and without notice to any other parties, unless the Court see fit to direct any such notice to be given, refer the said petition to the Master in Ordinary of the said court in rotation, either generally or with such special directions with reference thereto as to the Court may seem fit."

He believed the hon. and learned Solicitor General had no reason to regret the introduction of the Bill to Ireland—he believed it was calculated to do much good—he felt convinced that the majority of Irish Members, as well as the majority of the Irish people, felt grateful for its provisions; and for his own part, after a careful consideration of its provisions, he felt bound to tender his thanks to the hon. and learned Solicitor General for bringing it in.

MR. COCKBURN said, the hon. and learned Member for Newark had been pleased to direct one or two sarcastic observations towards him, as though his particular branch of practice did not render him conversant with the proceedings of the Court of Chancery. He certainly did not profess to any profound knowledge of the mysteries of that court, but still he knew quite enough to enable him to see through the utter futility of the hon. and learned Gentleman's objections to the proposed measure. As his hon. and learned Friend had said no two lawyers agreed as to the merits of this Bill, he had ventured to express his dissent, although he did not practise in the Court of Chancery. His general professional knowledge, however, of matters in Chancery enabled him to form a judgment on this subject, and he felt bound to say that he had never heard a weaker case than that of his hon. and learned Friend. He had never in his life heard such a case as the hon. and learned Gentleman had attempted to put forward against this Bill. It put him in mind of an old and memorable saying of a celebrated nobleman—Earl Chatham—which, though uttered long ago, appeared applicable to the present day—that if you were to introduce a measure to shake the British constitution to its centre, the lawyer would remain quiet in his cabinet; but if you attempted to shake one of the cobwebs in Westminster-hall, the whole body of lawyers would rush out to its defence. For himself, he believed that this measure was calculated to work a most salutary reform in the proceedings of the Court of Chancery in Ireland; and when the hon. and learned Gentleman observed that it had not been thought necessary to introduce any such measure for England, he could only say that as he had no doubt these measures would be found to work most advantageously in Ireland in providing the facilities for the transfer of land which the exigencies of that country required, and as he was satisfied that they were only one degree less necessary in this country, he trusted that the time was not far distant when similar measures should be introduced here. What were the arguments of the hon. and learned Member for Newark? He commenced by saying that they were encroaching on the jurisdiction of the Lord Chancellor of Ireland, that legal functionary having the power and jurisdiction to regulate the proceedings of his court, so as to make them most consistent with the interests of the suitors; but when the hon. and learned Gentleman stated that, and at the same time added that the Lord Chancellor had not so interfered, that was, in his (Mr. Cockburn's) opinion reason enough for Parliament to interfere. Were they to wait until the judicial authorities reformed the court and its procedure? If so they might wait for ever. It was enough then for him that the Lord Chancellor had not interfered; but he said more, that the Lord Chancellor would have been wrong in interfering. In matters of petty and minute detail, no doubt it was the duty of the Lord Chancellor to reform his court; but when they came to deal with the essential principles of procedure, he denied that the Judge had any right to discharge the functions of the Legislature. Nothing could be more mischievous than such a course; and he said, therefore, that the Lord Chancellor would have acted with a very unwise discretion, and in his (Mr. Cockburn's) judgment, most unconstitutionally, if he had attempted to introduce the reforms which this Bill proposed. But, more than that, he contended, so cumbrous were the proceedings, so voluminous were the pleadings, so various and incessant were the opportunities for delay, so numerous were the interruptions which might be interposed by the death of old parties, or the introduction of new parties to the suit, or by the chicanery of an astute practitioner, that the Judges had quite enough to do to discharge their judicial duties without interfering with the functions of the Legislature. The hon. and learned Gentleman's remarks, therefore, appeared to him (Mr. Cockburn) to convey a very unjust and ungenerous attack upon the Lord Chancellor. The hon. and learned Gentleman must have heard complaints of delay in the English Court of Chancery and in the Masters' Offices; and he must know also that, in his own time, new Judges had been added to that court to enable them to get through their work. The hon. and learned Gentleman further said, that the machinery of the Bill was such, that after much delay the parties might eventually be driven to adopt the course of practice at present pursued; but that was not so, because the Act gave the Lord Chancellor the power to decide what was the proper procedure to be adopted in each particular case. It seemed to him, therefore, that the attacks which the hon. and learned Gentleman had made upon this Bill, fell altogether to the ground. Before he sat down, he wished, as a member of the legal profession, to express his unbounded acknowledgments and grateful thanks to his hon. and learned Friend the Solicitor General for having taken the course he had in introducing these legal measures to the House. It was most gratifying to the public, and he was sure he might add to the legal profession also, with a very few exceptions, to see that distinguished Member—distinguished in position, distinguished by his office, distinguished by his great learning and eminent talents, taking the course he was adopting; and it was more gratifying to them all to think that these legal reforms, of which they all felt the necessity, were proposed by the son of his great and honoured father, who was the first to introduce the great question of legal reform into the legislation of the country. It was most gratifying to think that the son was treading in the father's steps, and that he was likely to add to the lustre, honour, and renown of the name of Romilly.

The SOLICITOR GENERAL would trespass on the House only for a few minutes, whilst he addressed himself to one or two observations which fell from the hon. and learned Member for Newark, although they had been already sufficiently answered by the hon. and learned Member for Athlone, and his hon. and learned Friend who had just sat down. It was impossible that the hon. and learned Gentleman could think that the provisions of this Bill could be carried into effect by the Lord Chancellor of Ireland without a statute. If he meant, indeed, that such reforms as he thought expedient could be carried out without a statute, he might be correct; but he (the Solicitor General) feared that such reforms would be very slender. To state, however, that that which was proposed to be done by this Bill could be effected by any Lord Chancellor without a statute, was a proposition which, he ventured to say, the hon. and learned Gentleman did not intend seriously to assert upon his responsibility as a lawyer. The hon. and learned Gentleman had thought fit—he would not say to make a direct attack upon the Lord Chancellor of Ireland—but indirectly he had said that which he was sure, if he had been a little better acquainted with the system of the law in that country, and the way in which it was administered by the Lord Chancellor, he would have been the last man to say. The hon. and learned Member for Athlone had fully replied to that observation, and he (the Solicitor General) felt that he should only be doing an injustice to the Lord Chancellor of Ireland if he thought it necessary to add his feeble voice to what had been already said. The hon. and learned Member for Newark had been very sparing in his observations respecting the defects which he had found in the Bill, the only objection being that the proceeding was by petition. The hon. and learned Gentleman said it was objectionable that the suit was to be defended by affidavit, and said that the defendant could not put his defence properly upon affidavit, though he could upon answer. He stated, also, that this was a matter which was not properly cognizable by that House, but that it should be referred to a Select Committee, and then he thought that, by using the legal phrase, "answer," he threw a sort of mystical blind over the House through which they could not penetrate. Now, he (the Solicitor General) asked confidently, what was the difference between "answer" and "affidavit?" An answer was nothing more nor less than a statement on oath of the defence the party made to the Bill, together with a specific answer to every question put by the Bill, so that they only differed in this—that the one omitted all that was surplusage and unnecessary in the other. In all other respects they were identically the same. He must warn the House, if they attempted legal reforms that they must not allow lawyer after lawyer to get up, and tell them that they were not capable of understanding the subject. The House might depend upon it, if they could not reduce a legal proposition to the plain principles of common sense, comprehensible to persons of ordinary intelligence and understanding, the defect was that it was a technical system invented for the creation of costs, and not to promote the due administration of justice. His hon. and learned Friend had quoted a most unfortunate instance for the proposition which he intended to put forward—he referred to an Act of Parliament brought in and passed through that House by one to whom he (the Solicitor General) was bound by every pious tie, and he stated that that had been productive of evil, because when it went up to the highest tribunal in this country it was found inadequate for the purpose for which it was intended. Sir T. Plummer, a most cautious and active judge, understanding that Act of Parliament in the way in which it was intended, considered that the rights of parties coming before him might be well understood on petition and affidavit. That matter was referred to the House of Lords, and it so happened that Lords Eldon and Redesdale refused to go into the question of merits, but said, it was necessary for the parties to go over the whole again by bill and answer; whereas if this Act had been in operation it would have been impossible for them so to have decided, but they must have gone on with the case on its merits. Why was it that this Act was introduced if the court could have proceeded with those cases by petition? Why was it that petitions had been introduced by statute after statute in that House, unless it were that without the authority of Parliament the court had not the means of allowing those matters to be brought before it by petition. Those particular instances showed that the House had made the experiment in cases of this description, and that in a great variety of cases petition was a safe, simple, and speedy mode of determining upon the rights of parties. He should not detain the House further, except to say one word in reply to the hon. and learned Members for Newark and Coventry, who had thought fit to say that he was not really responsible for this Bill, and had suggested that possibly some amount of labour and business which he had to perform had relieved him of his responsibility. Now, he begged to disclaim anything of that sort. Whatever might be the business he had to do, he considered that that was no excuse whatever, and he considered that he was fully responsible for every Bill on which his name appeared; and if there were any defects in the Bill, on him the blame ought properly to fall, and not on any other person whatsoever. The hon. and learned Gentleman had also asked whether the Bill had been introduced with the sanction of the Lord Chancellor of Ireland. In reply to that question, he had to state that he should not have ventured to introduce to the House, or to his colleagues, a Bill upon this subject which had not been previously submited both to the Lord Chancellor and the Master of the Rolls. Though he did not mean to say that every expression in the Bill met with their sanction, or that it was by any means perfect, yet he did say that the principles and object of the Bill had had the sanction of those learned and eminent Judges. He begged it to be understood distinctly, that in the attack this Bill made on the practice and proceedings of the Court of Chancery, he made no attack whatever upon the principles and law administered by that court. That there were some defects that might be removed by statute, he did not deny; but he did say that no person could be acquainted with the system of law administered by that court, especially that which compelled people to fulfil to the full extent the duties of the trusts imposed upon them, and the manner in which it regarded agreements and arrangements between people of the same family, without feeling that it administered not only a great system of civil law, but also a very high and pure system of morality, and that it would act most beneficially upon the interests of society if that system were much more extensively diffused, and were generally acted upon. But it cast a slur and disparagement upon the name of Chancery, and the doctrines of high morality and purity which proceeded from it were supposed to be injurious, because they came from that place from which, unfortunately, no suitor scarcely ever came during his lifetime, and which never afforded its protection to the suitor unless accompanied by a heavy penalty upon his fortune. Though he felt there were many things in the Bill which might be improved, he entreated the House to sanction its principle ; and, in the meantime, he would take every means in his power to render it more effective, and to carry it into complete operation, for the removal of all ambiguity, and any doubt or difficulty, with respect to the intention of its provisions. He trusted that the House would now proceed with the second reading, and he would postpone the Committee until such a time as should enable him to receive and consider any suggestions with which he might be favoured.

Mr. WALPOLE agreed that some reform — and an extensive reform — was required in the Court of Chancery both in England and Ireland, and he should give his hearty support to measures for carrying out that reform. He begged to suggest, however, to the hon. and learned Gentleman the Solicitor General that he should refer this Bill to a Select Committee, for the purpose of putting it into the proper shape for carrying out the object which everybody had in view. It was of the utmost importance that all the provisions should be most carefully examined, and that, in his opinion, could only be satisfactorily done in a Select Committee.

The SOLICITOR GENERAL could not consent to the request of his hon. and learned Friend. He knew what the effect of submitting a measure to a Select Committee was. He would endeavour to adopt, as far as he could, every practicable suggestion; and he would gladly communicate with any one who should favour him with suggestions on the subject; but he could not consent to refer the matter to a Select Committee.

Mr. TURNER very much regretted that the hon. and learned Gentleman would not refer the Bill to a Select Committee ; for had he done so, he should have had no hesitation in voting with him. Under the circumstances in which he was placed on the present occasion — unable, on the one hand, to agree to the second reading of the Bill, from a full conviction that it could not be carried out ; and unable, on the other hand, to agree to the proposition of his hon. and learned Friend the Member for Newark, he should decline voting on either side. He assured the House, that, so far from having any desire to defeat the Bill, any time or sacrifice which he could make to obviate the delay and expense of the Court of Chancery, should be readily given.

Mr. STUART, in reply, said, he would not put the House to the trouble of a division, and his reason for not doing so was this, that there was a clause in the Bill (the 28th) which gave full power to the Lord Chancellor to make all the necessary alterations, and he intended, when the Bill was in Committee, to move that it should consist of that clause only. He, therefore, begged to withdraw the Amendment on the present occasion.

Question, "That the word 'now' stand part of the Question," put, and agreed to.

Main Question put, and agreed to.

Bill read 2°, and committed for Friday, 1st March.

REGISTRARS' OFFICE BANKRUPTCY BILL.

Order for Committee read.

Motion made, and Question proposed—"That Mr. Speaker do now leave the Chair."

Mr. HENLEY said, that as there had been so strong a manifestation for law reform by the Government, he hoped a change had not come over the spirit of their dream, as he feared it had if he were to judge from the provisions of this measure. He felt himself compelled to call the attention of the House to one of the offices connected with the office of Lord Chancellor—namely, that of Secretary of Bankrupts. The 5th and 6th Victoria created certain deputy-registrars, and made this provision, that in the event of the decease of the person called registrar, the Lord Chancellor should fill up the office of registrar from these deputy-registrars. There were in the London district six commissioners of bankrupts. By the Act which passed last year, the Legislature was of opinion that four commissioners of bankrupts were capable of doing that which six had now to do. There also existed an officer called secretary of bankrupts. He had something to do in the shape of taking fees from the fiat; but now the fiat was done away with, in the Bankruptcy Bill of last year, he (Mr. Henley) could not understand what the secretary of bankrupts had to do. This person received a salary of 1,200*l.*, his chief clerk 500*l.*, and the second clerk 300*l.* a year. All the duties of secretary of bankrupts were capable of being done by one of the six gentlemen in the London district. To show that this was the case, he thought it fair to the House to let this matter be referred to a Select Committee to inquire how the duties could be best and most economically performed.

Amendment proposed—

> "To leave out from the word 'That' to the end of the Question, in order to add the words 'a Select Committee be appointed, to consider the best mode of dealing with the office of Registrar of Bankrupts, now vacant,' instead thereof."

The ATTORNEY GENERAL said, he did not think the hon. Gentleman gave the House much encouragement in the progress of those reforms into which they had embarked, when he met the first measure for the abolition of an office and the reduction of a salary of 1,200*l.* a year by a direct negative; for his resolution was, not that it be referred to a Select Committee that the office should be abolished, but as to the best mode of filling up that office. What mode could be more acceptable to his hon. Friend or the House than to abolish the office and the salary attached to it? It appeared to him that when the office was abolished, and the salary of 1,200*l.* a year, the most satisfactory mode had been arrived at. His hon. Friend was mistaken as to the statute; but if it were as he stated, the Act was necessary for abolishing the office, and cutting down the rate. He quite agreed that the office of chief registrar was a sinecure, and that was a main reason why it should be abolished. It was proposed by the Bill, and it came before the House in a former Session, that on the death of the chief registrar the office should be filled by the secretary of bankruptcy. There was then no occasion for going into Committee, for they proposed to abolish the office. It was true, the secretary of bankruptcy did not discharge the duties that officer had formerly done. But that officer was necessary, as he knew from his noble and learned Friend the Lord Chancellor; there were many cases in which he had extensive correspondence in his official and responsible situation of secretary, and it was therefore that the office was to be conferred upon him, it being absolutely necessary that there should be an officer of that description. It did not appear to him there was any ground for an inquiry that that office should be immediately filled, and the country fixed with a salary of 1,200*l.* a year.

MR. BOUVERIE objected to the Bill, because it would make the secretary of bankrupts chief registrar of the Court of Bankruptcy, and would so perpetuate the latter office. He agreed in the necessity of abolishing the office of chief registrar as an absolute sinecure, for all the business the registrar was expected to do was performed by the accountant of bankruptcy, who had a salary of 1,500*l.* a year. But the question was, why should the secretary of bankrupts be appointed to an office the duties of which were *nil?* It had been shown before a Select Committee, which inquired into this subject some time ago, that the office of secretary of bankrupts was also a sinecure; for before the Bankruptcy Act of last year was passed, that officer had nothing to do. He thought the best course would be to refer the Bill to a Select Committee, with the power of hearing evidence; but if the Bill went on, he would, on third reading, move such amendments as would altogether abolish the office of registrar of bankrupts.

MR. MULLINGS said, it had been truly stated that under the Act 5th and 6th Victoria, there were to be six registrars; and it was provided by that statute that at the death of the chief registrar one of the other registrars should fill the office. If, therefore, instead of perpetuating the office of secretary of bankruptcy by promoting him to the office of chief registrar, they filled that office by advancing one of the deputy registrars, a saving of 1,000*l.* a year would be effected. It was provided by the statute passed last year that the registrars should be reduced to four; if, therefore, one of the six deputy registrars be appointed to the chief registrarship he gets 1,200*l.* a year, and the office of secretary of bankruptcy—admittedly a sinecure—would not be perpetuated. He considered by the arrangement he proposed, a saving of 1,900*l.* a year would be effected.

The ATTORNEY GENERAL entirely dissented from the statistical details brought forward by the hon. Gentleman opposite, and contended that by the Bill before the House a saving of 1,200*l.* a year would be produced.

SIR H. WILLOUGHBY said, it appeared to him that neither the chief registrar of the Court of Bankruptcy nor the secretary of bankrupts had anything to do, and he therefore did not see how the House, with any pretensions to economy, could perpetuate such offices.

MR. W. P. WOOD commenced his observations by reading an extract from the evidence of the present secretary of bankruptcy, the object of which was to show that when the fiats would be abolished, there would be nothing for the clerks to do. It was perfectly true that by the Bill before them a saving would be effected, but by that Bill they were perpetuating the office of chief registrar, and were attaching one useless office to another to perpetuate one of them. As long as the present secretary of bankruptcy continued to fill the office, there would be a saving; but then, again, the Lord Chancellor will be in a position to appoint a perpetual chief registrar. They might not detach him as long as he held the office, but he believed the days of that office were numbered.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 57; Noes 61: Majority 4.

List of the AYES.

Abdy, T. N.
Anson, hon. Col.
Baring, rt. hon. Sir F. T.
Bellew, R. M.
Berkeley, C. L. G.
Boyle, hon. Col.
Brockman, E. D.
Campbell, hon. W. F.
Caulfeild, J. M.
Cockburn, A. J. E.
Craig, W. G.
Dundas, Adm.
Ebrington, Visc.
Elliot, hon. J. E.
Ferguson, Sir R. A.
Freestun, Col.
Grey, rt. hon. Sir G.
Grey, R. W.
Hatchell, J.
Hawes, B.
Hayter, rt. hon. W. G.
Hobhouse, rt. hn. Sir J.
Hobhouse, T. B.
Howard, Lord E.
Howard, Sir R.
Jervis, Sir J.
Keppel, hon. G. T.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lewis, G. C.
Lindsay, hon. Col.
Martin, C. W.
Maule, rt. hon. F.
Mulgrave, Earl of
Ogle, S. C. H.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Pelham, Capt.
Rich, H.
Romilly, Sir J.
Russell, Lord J.
Russell, F. C. H.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Simeon, J.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stuart, Lord D.
Tennent, R. J.
Townshend, Capt.
Watkins, Col. L.
Willcox, B. M.
Wilson, J.
Wyld, J.
Wyvill, M.

TELLERS.

Tufnell, H.
Hill, Lord M.

List of the NOES.

Aglionby, H. A.
Best, J.
Blair, S.
Brotherton, J.
Brown, W.
Bunbury, E. H.
Carter, J. B.
Clay, J.
Cobbold, J. C.
Cocks, T. S.
Currie, H.
Dodd, G.
Douglas, Sir C. E.
Duff, G. S.
Duke, Sir J.
Duncan, G.
Duncuft, J.
Evelyn, W. J.
Fagan, W.
Filmer, Sir E.
Forster, M.
Graham, rt. hon. Sir J.
Grattan, H.
Greene, J.
Gwyn, H.
Hardcastle, J. A.
Headlam, T. E.
Heald, J.
Hudson, G.
Keogh, W.
Kershaw, J.
King, hon. P. J. L.
Macnaghten, Sir E.
Mangles, R. D.
Manners, Lord J.
Matheson, Col.
Morris, D.
Mullings, J. R.
Palmer, R.
Patten, J. W.
Pilkington, J.
Plowden, W. H. C.
Rawdon, Col.
Ricardo, O.
Salwey, Col.
Scholefield, W.
Scully, F.
Shafto, R. D.
Spooner, R.
Stanford, J. F.
Stanton, W. H.
Stuart, J.
Sullivan, M.
Tancred, H. W.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Turner, G. J.
Willoughby, Sir H.
Wilson, M.
Wood, W. P.

TELLERS.

Henley, J. W.
Bouverie, E. P.

Words added; Main Question, as amended, put, and agreed to.

Select Committee appointed, "to consider the best mode of dealing with the office of Registrar of Bankrupts, now vacant."

The House adjourned at Twelve o'clock till Monday next.

HOUSE OF LORDS,

Monday, February 18, 1850.

MINUTES.] PUBLIC BILLS.—1° Convict Prisons.
2° Acts of Parliament Abbreviation.

THE AFFRAY AT DOLLY'S BRAE.

LORD STANLEY: I assure you, my Lords, that often as I have trespassed before upon your attention, and often as I have been received by you with much kindness and indulgence, I never had greater need of your kindness and indulgence than now, when I am about to bring before you matters of great importance in themselves, as affecting not only the character, but also the private conduct, of two individuals of high and responsible station, both Members of your Lordships' House, and both, I rejoice to say it, present in their places, but of greater importance still as affecting the due administration of justice, the position and independence of the magistracy, and the relations in which they ought to stand, and have been placed, by the Executive Government of Ireland. In the observations which I shall have to address to your Lordships, it will be my duty to impugn the public conduct of my noble Friend the Lord Lieutenant of Ireland. I do not wish to cast any imputation upon his motives. I am fully satisfied that on this occasion, as on every other in the period during which he has been in his high office, his main desire has been to act in a manner consistent with his duty to himself, and conducive to the welfare and tranquillity of Ireland. I believe, my Lords, that he has taken the steps which I am about to condemn with great reluctance and much personal pain to himself; and therefore, whilst I do not impugn his motives, I must be permitted to impugn the discretion he has exercised, and to denounce his proceedings both as erroneous and unconstitutional. I must also impugn the conduct of Gentlemen who were appointed to act in a capacity—judicial shall I say, or magisterial?—for their functions partook of both characters, and yet belonged strictly to neither. I must also impugn the conduct of the learned Commissioner who was sent by my noble Friend the Earl of Clarendon to examine into the proceedings which will form the subject-matter of this discussion; and I must likewise impugn the conduct of a high officer of State, the Lord Chancellor of Ireland, who permitted his responsible yet independent office to be degraded into a merely ministerial one. having thereby abrogated the duty imposed on him by the constitution—I mean the duty of directing and controlling, if not of protecting and defending, the magistracy of which he is the acknowledged head. My Lords, in bringing this case before you, I shall have to struggle against those feelings of impatience by which you cannot fail to be animated whilst listening to details and citations of evidence which I must necessarily lay before you in order to bring it fully and fairly under your notice. I feel that I shall also have to labour against prepossessions, natural to many minds, whilst I complain of the periodical and mischievous demonstrations or processions of one or other of the parties who have so long distracted Ireland—demonstrations or proceedings which are indulged in once or twice a year, and which have a tendency to unsettle the minds of all classes of men in that country, to renew religious and political animosities, and to disturb the peace and tranquillity of the country, and which sometimes terminate even in the loss of life itself. In the aversion which I entertain to these processions, I know that my noble Friend near me (the Earl of Roden) participates almost as strongly as I do, for during a long period he has wished them to be abandoned, and has even used his influence to stop them. Of my own sincerity in this respect I can give you no stronger proof than this—that having been charged with the management of the affairs of Ireland, under the Lord Lieutenancy of my noble Friend the Master of the Ordnance (the Marquess of Anglesey), I was the individual Minister to bring in the Processions Act, which from the year 1832 to the year 1844, when it expired, removed all doubts as to their illegality, and which, as I believe, not only prevented the occurrence of any disturbances, but also contributed mainly to mitigate that rancorous feeling of political and religious animosity which the constant excitement of these processions generated and increased. Under such circumstances, my Lords, I hope that I shall not be considered as entertaining an undue bias in favour of the Orange processions or of the Orange party. I give due credit to the good qualities which I believe that population to possess. I believe the members of it to form a loyal, industrious, brave, energetic, and religious population. I do not mean to say that there are not among them, as among all bodies, some men with whom religion and loyalty are not really implanted in their heart and in their conduct, but who use loyalty and religion as mere party passwords, under which they shroud party animosity and political virulence; yet, though some such may find a place in their ranks, I do not believe that such a character belongs to them generally; on the contrary, I believe that as a body they possess the good qualities for which I have given them credit; and of this I am sure, that if any enemy, foreign or domestic, threatens the dignity of the Crown of England, on them, individually or collectively, the Crown may repose with the fullest trust and confidence. But I am far from denying that the benefits to be derived from their good qualities, from their loyalty, from their industry, from their bravery, from their energy, and from their religion, are not sometimes neutralised by that organisation which prevails among them, and by their demonstrations and processions, which tend, as I have before said, to perpetuate religious differences which it would be well to extinguish, and to keep alive feelings of party animosity which it is very desirable to put down. It is with these general views that I shall now proceed to the consideration of the particular details of the case now before the House. These must now be familiar to all your Lordships; yet, so necessary are they to my argument, that I will crave your attention whilst I rapidly run over the particular facts to which I am desirous of calling the attention of your Lordships. Previously to the 12th of July last, it was well known that on that day a great demonstration of the Orange body in the province of Ulster would take place. That there was to be a large procession—that many members had declared their intention of coming, according to their custom, armed—that they were to march with the banners of their respective lodges, with bands of music, and with all the usual pomp and circumstance of such processions. Due notice of this intention was given to Her Majesty's Government; and the Government thus had an opportunity to take, and did actually take measures, to meet the exigency of which it was apprised, and to secure the maintenance of the public peace, in case it were threatened. In pursuance of its plans, the Government sent down two stipendiary magistrates and two troops of cavalry, with some infantry, to the neighbourhood of Ballyward, from which place the Orange procession was to move first by what was known as the Pass of Dolly's Brae, and then to Castlewellan, and thence to Tollymore-park, the seat of my noble Friend near me (the Earl of Roden), where preparations had been made for their reception. If you will look my Lords, at page 44 of the printed papers now on your table, you will find a map of the country between Magheramayo-hill and Dolly's Brae. Shortly before reaching the hill of Magheramayo, the road separates into two branches. One, the old road, goes along the high ground to Castlewellan, and, leaving the hill of Magheramayo on the right, reaches to the top of the ridge called Dolly's Brae, where it narrows into a kind of defile, in which, according to the evidence now before you, an inconsiderable force might stop a force of 700 or 800 men. The new road keeps the level ground, runs round the base of Magheramayo and the other hills, and after a *detour* of about half a mile, finally joins the old road, which traverses the ridge of Dolly's Brae. Threats had been held out by the other party that no Orange procession would be allowed to pass over Dolly's Brae, and, with a view of preventing any collision on that point, a small body of troops occupied the position of Dolly's Brae early on the morning of the 12th of July. And that body of troops was not there a minute too soon, for soon after there appeared marching towards it an irregular array of men armed with scythes, muskets, and pikes, with a view of occupying that position. They found themselves, however, disappointed; and, after a short consultation among themselves, marched off and encamped on a little ridge in the vicinity, to the left of the road, from which they commanded the road from Ballyward. The Orange procession, which came from Ballyward, was escorted by the police and the military, who marched in their front. It was accompanied by a large number of their women and children, who came out to make holiday, and thus gave to the whole proceeding the air of a great festival. The procession passed by its antagonists in good order. Directions had been given to those who composed it not to fire a shot, even in sport; and those directions, as well as others requiring them to keep the line of procession, had been strictly adhered to. Although some insults were offered to the procession, by some individuals in the crowd, on its line of march, owing to the exertions of the magistracy, of the police and military, and, I must also in justice add, to those of two Roman Catholic priests (Messrs. Morgan and Mooney), it passed Dolly's Brae without any injury, or blow, or shot, from either side. The question then arose, whether, as the procession had passed Dolly's Brae without interruption, it should return back from Tollymore-park by the same road. That question was left in doubt when they first passed Dolly's Brae, and it was not known by which road they would return until they arrived, after leaving Tollymore-park, at the point where the two roads again diverge at Dolly's Brae. Some curious scenes had taken place in the interim. The cavalry, not having brought forage for their horses with them, were obliged to remove from the ground to procure it, and did not return in time to head the procession, as they had done during its advance. The police and the infantry, however, were on the ground. The other body—I scarcely know what name I ought to give them—maintained its first position during a great part of the day. They were visited in the course of it by two Roman Catholic clergymen; and one of those gentlemen, Mr. Morgan, unwisely as I think, but as he himself declares for the purpose of preventing them from straggling away and getting into the public-houses, bought them a quantity of bread. He also gave his blessing to the crowd, on condition that they would clear away out of the valley and keep the peace. But about an hour afterwards, when it was still uncertain which road the procession would take on its return, a very curious manœuvre was practised by those whom I may be permitted to style the Ribandmen. I have already observed that the hill of Magheramayo lies a little obliquely from the high-road, and commands both the roads which lead to and from Dolly's Brae. The body of Ribandmen had first encamped near Dolly's Brae, but on the other side of the old road from that which they subsequently occupied, and to which they marched in something like military order and precision—indeed, so much like it, that one of the military officers present declared at the time that they must be under the command of an old pensioner, and it subsequently turned out that they were led by a person who had been discharged from the police force. They thus left the position where they had been under the control of the military, and took up a new position on Magheremayo-hill, which commands, as I before said, both roads, the new road being about a mile longer than the old. The procession, after it had received some refreshments from my noble Friend near me in Tollymore-park, and after it had been addressed by my noble Friend in a speech with which I think my noble Friend opposite (the Earl of Clarendon) can find no fault, returned by the same road which it had taken in the morning. They had nearly all got through the pass of Dolly's Brae. Mr. Morgan, the Roman Catholic clergyman, had promised to march with the procession on its return, in order to afford it his protection. Mr. Morgan did not attend according to his promise, but his curate, Mr. Mooney, did; and never left the procession until nearly the whole of it had passed the lines of Ribandmen. These lines were twofold, ranging one a little above the other, a little obliquely to the road, and commanding it from a considerable height. The immediate front of each line was protected by a strong wall, and these were flanked by two or three small houses, and their enclosures were occupied by detachments from the main body. After the Orange party had nearly passed these lines, and just after Mr. Mooney had met the police and military, whom he told "that all was right—that there would be peace, and that not a shot would be fired," a squib was exploded at a little distance from the road, then, from the Riband houses or the enclosures before them, two shots were fired, and then immediately followed a full volley from the whole Riband army on the Orangemen, the police, and the military. The main part of the volley was poured upon the police. The police, at first a little startled by the suddenness of the discharge, recovered themselves with a degree of firmness and forbearance for which they deserve every credit; and immediately afterwards, owing to the gallantry of Mr. Hill, sub-inspector of police, they charged up the hill, and, though their numbers did not exceed 40 men, drove from it the Ribandmen, who were 600 or 700 strong. I feel, my Lords, that I cannot do sufficient justice to the spirit and gallantry which the police displayed on this occasion; it was of great importance, for one of the military officers present declared that, if the police had not fired and charged at once up the hill, Her Majesty's troops would have been slaughtered most unmercifully. He also stated, that the police would have been foiled by the strength of the position and by the number of their opponents, had not the Orangemen, who had not yet passed the hill, taken the Ribandmen in the flank, whilst the police attacked them in the front, and aided them in dispersing the rebel band. I call them the rebel band, and I can now call them nothing else, since I think with Lieutenant Terry, of the 9th Regiment, that they deserve to be called rebels who fire on Her Majesty's troops. Then occurred scenes which I regret to say I must concur with the Commissioner appointed by my noble Friend opposite (the Earl of Clarendon) in denouncing as scenes of atrocity on the part of the Orangemen, although I think that he has painted them in somewhat exaggerated colours, and in some cases misrepresented the real facts. I am sure, however, that if the perpetrators of them can be discovered, my noble Friend near me (the Earl of Roden) will be as ready as any man can be to bring them to justice and punishment. Houses were fired, one inoffensive person was put to death, and the work of retaliation and retribution was carried further than I can either palliate or justify. Such is the history of these painful transactions. Shortly afterwards my noble Friend the Lord Lieutenant of Ireland appointed a commission to investigate their nature and extent. It sat for four or five days in the months of July and August, and then, on the 18th of September, Mr. Berwick was desired to interfere. The sessions were then held at Castlewellan, and applications were made to the magistrates on the bench for informations against several Orangemen. Those applications were refused by the bench, of which my noble Friend near me was then the chairman. Whereupon my noble Friend the Lord Lieutenant of Ireland recommended the Lord Chancellor of that country to dismiss from the commission of the peace my noble Friend near me, the chairman of the bench of magistrates, and two other magistrates of the name of Beers. I think, that upon the evidence there may be a *primâ facie* case for the dismissal of Mr. William Beers; but, so far as I can make out, the charge which my noble Friend has brought against Mr. Francis Beers is not tenable even for a moment. I must decline to enter upon this occasion into the individual case of Mr. W. Beers; but, as far as I can make out the charge against his brother, Mr. F. Beers, it is this, and this only—that the procession was mustered in his demesne, and that he marched along with it on the public road, in his character as a magistrate, without badges or distinctive marks upon him, and in company with the stipendiary magistrate sent down by Her Majesty's Government as the head of the police. Now, it is admitted on all hands that, both in going to and in returning from Tollymore-park, Mr. Francis Beers was most active in preventing a collision between the parties, and that after the collision had taken place, he was most active in saving life, and restoring peace. You have one of the witnesses actually declaring that he should have been deprived of life had he not been saved by the interference of Mr. Francis Beers. No other charge can be brought against that gentleman but this—that on arriving at Tollymore-park, where none but Orangemen were met together, he did put on and wear during his presence there an Orange riband, though he had not attended an Orange lodge for twenty-four years previously. Before he left Tollymore-park he took it off again, and never appeared with it at all in public. This is the only offence charged against Mr. Francis Beers. The offence charged against my noble Friend (the Earl of Roden) is, that he received an Orange procession in his park; that he made an address to them; that he did not recommend them to return by the new road; and that, as chairman of the bench of magistrates at Castlewellan, he refused, upon application, to receive informations tendered by the sessional Crown solicitor against certain persons, not for perpetrating acts of violence, but for attending a procession, said to be *per se* and *ab initio* altogether illegal. My answer is this—I admit the facts to be as I have stated them; but I contend that they form no justification for the conduct of Government towards him. Neither the magistrates of the county nor the stipendiary magistrates sent down to their assistance, believed, or professed to believe, that the procession was illegal, or that it was considered so by Her Majesty's Government. I am prepared to contend, that up to the moment when my noble Friend received the procession in his park, he believed that it was acting under the sanction and protection of Government, especially as it was attended by an escort of military and police. There is another point which is still more doubtful than the legality of the procession, and that is the legality of the warrant which my noble Friend opposite was advised to issue, and of the whole proceedings carried on by the Commissioner under its authority. Now, I am prepared to contend that the evidence laid before my noble Friend the Lord Lieutenant of Ireland by his commissioner, Mr. Berwick, was not the evidence really given before him. I contend, and shall endeavour to prove, that that evidence was garbled. I have the confession of the Commissioner himself, that he did not furnish my noble Friend with the whole of the evidence, but only with notes of the evidence taken by himself, and which he believed to contain all that was material in it. Now, I say that those notes do not contain all the material evidence; and further, I say that they are garbled and distorted, and I am not saying too much when I say, that in one case they are actually falsified. And I further say, that the evidence laid before the magistrates did not justify the allegations of the information, and that in the discharge of their duty the magistrates could not but refuse to grant informations upon them. I say deliberately that the evidence did not warrant, and would not have justified, the informations which this bench of magistrates was called on to grant. I further contend, that the Lord Chancellor of Ireland has egregiously failed in the discharge of his functions as head of the magistracy in that country, inasmuch as on the same day on which he received the suggestion of the Lord Lieutenant to dismiss these magistrates from the commission of the peace, without evidence, without any consideration, without any remonstrance, he did—what? Call on the magistrates to answer the charges preferred against them? No; but without a question on his part, without an answer on theirs, without any examination, on evidence taken behind their backs, without any exercise of his own judgment, he dismissed my noble Friend from the commission of the peace, and with him two other magistrates, one of whom had held it for more than forty years. I say, that those magistrates had no reason to believe that this procession was in itself illegal. If the noble Earl near me had known that it was illegal, he would have been the last man in the country to lend his sanction to it. I have evidence by which I can show to your Lordships the course actually taken by my noble Friend near me, when there was no doubt that these processions were illegal. On the 21st of June, 1843, my noble Friend wrote the following letter to the Members of an Orange lodge:—

"My dear Friends and Brother Protestants—The anniversaries of the 1st and 12th of July are at hand; any processions on either of those days are illegal. It is most important for our cause that there be no public display of any kind on either of those occasions; nothing would be more gratifying to your enemies than your transgression of the law, nothing would be more deeply mortifying to your friends. I have received many favours from you; I am, therefore, emboldened to speak freely to you. Some of you are my immediate neighbours and my valued acquaintances. I beseech you, then, for reasons the soundness of which you would acknowledge could I communicate them to you, let no taunt, no provocation, no circumstance whatever, induce any of our Protestant brethren to break the law by assembling in procession on the 1st or 12th of July next."

Again, my Lords, in the year 1845, when the Party Processions Act had expired, my noble Friend repeated to the Orange lodges his warning to abstain from these processions:—

"July 3, 1845.

"Brother Protestants—The 1st of July is over; the monster meeting which the Repealers threatened to hold on that memorable anniversary on the banks of the Boyne has not taken place. Happily for the peace of Ulster, we have been saved from that insult. I hear that the Repealers are now endeavouring to induce our brethren to celebrate the 12th by processions with banners and flags. It cannot be for our advantage that such advice should be followed. Much as you value the events commemorated on that day—much as they should be honoured and regarded by every loyal subject in the land—I would not gratify these wishes expressed by the Repealers of Down, Tyrone, and Armagh. I should rather that you quietly met in your respective neighbourhoods, determined to maintain true Protestant principles amongst yourselves and your children, rejecting alike the insidious snares of false Protestantism within the Church, and the errors of Romanism, from which we have been happily delivered, under God, through the means of that Prince of glorious memory, King William the Third. I could not let this opportunity pass without tendering to you my opinion as to your proceedings on the approaching 12th. You already know I can have but one object in doing so, which is your welfare, and consequently the prosperity and happiness of all denominations of our fellow-subjects in Ulster."

Therefore, my Lords, you now see that not only when these processions were notoriously illegal did my noble Friend near me give the Orange lodges warning of the illegality of these processions, and use every intreaty to dissuade them from joining in them, but even afterwards when the old law was restored, he impressed upon them the necessity of dispensing with and abstaining from them. But not only had my noble Friend near me no reason to think that these processions were not legal, but you will find that they had every reason to believe that they were not deemed illegal, by the Government themselves. I will now beg leave, my Lords, to bring under your notice one of the papers which I shall this night move for—I mean the correspondence which took place between the authorities in Dublin Castle and the magistrates of Armagh, on the subject of Orange processions, in the months of June and July, 1846; and this correspondence is the more remarkable, because you have in it the opinions of the representatives of two successive Governments upon the point now in question. On the 29th of June, 1846, Mr. W. Paton writes thus to the Earl of Lincoln, then Secretary for Ireland:—

"Armagh, June 29, 1846.

"My Lord—I have the honour to transmit herewith a copy of resolutions this day entered into at a meeting of magistrates resident in Armagh, and to request the earnest attention of your Lordship and of the Government to the subject of them, as, unless a sufficient force be placed at the disposal of the magistrates on the occasion referred to, they feel that they could not be responsible under the circumstances for the preservation of the peace of the city. I have been further directed by the magistrates present to request the opinion of the law officers of the Crown with reference to the following statement:—The Government must be aware that the affray and homicide which occurred on the last 12th of July arose out of a collision between a party walking in procession, and some of the inhabitants of a part of the town principally occupied by Roman Catholics, and the magistrates having learned that it is the intention of the Orange party on the ensuing occasion to walk through the same district of the city, and feeling that such an attempt would inevitably lead to resistance and serious outrage, are desirous of ascertaining whether they would be justified in preventing the Orange procession from entering that portion of the town, either with or without sworn informations being previously laid before them that such an attempt would be likely to lead to a breach of the peace. I have the honour to be, &c. "W. Paton."

Now it is quite clear, my Lords, that if the magistrates receive sworn informations that a procession is likely to lead to a breach of the peace, they may exercise their discretion, and prevent it as illegal. In July, 1846, Mr. Pennefather addressed this letter to the Armagh magistrates, in reply to inquiries from them as to the course they should take with regard to party processions:—

"Dublin Castle, July 4, 1846.

"Sir—I have to acknowledge the receipt of your letter of the 29th ult., which, with the copy of the resolutions enclosed therein, I have submitted to the Lord Lieutenant; and in reply I am commanded by his Excellency to inform you that the Act 2 and 3 William IV., c. 118, having expired, party processions, merely as such, are no longer illegal; and the magistrates should therefore be very circumspect in interfering with them, if no breach of the peace be actually committed. If the persons composing the procession be conducting themselves peaceably, the magistrates should not interfere with them further than to endeavour to persuade them not to go into any particular part of the town where their appearance in procession may exasperate others to commit a breach of the peace. As a strong reinforcement has been made to the military force in Armagh, the magistrates can have a sufficient force placed in those parts of the town where any disturbance is apprehended, and take such measures as may appear to them advisable, from the informations they receive, to preserve the peace, and prevent any such collision as is apprehended. It is necessary that the military should be accompanied by a magistrate; and his Excellency has directed the attendance of a stipendiary magistrate at Armagh on the 11th inst. to assist the local magistracy in preserving the peace of that city on the occasion referred to.—I have the honour to be, &c.

"Richard Pennefather."

The magistrates were not quite satisfied with these instructions, which they did not consider sufficiently definite; and on the 9th of July they addressed the following letter to the Government:—

"Armagh, July 9, 1846.

"Sir—I have this day submitted your letter of the 4th inst. to a meeting of magistrates, and am directed to state that it is not so satisfactory as they could have wished, inasmuch as it does not answer distinctly the question put in my letter of the 29th ult., namely, whether, under the circumstances therein stated, the magistrates would, either with or without sworn informations, be justified in preventing the Orange procession from entering that part of the town where disturbances might be apprehended. I have, therefore, now to request you will inform me whether under any and what circumstances, in reference to the case stated, the magistrates would be justified in stopping the procession from entering those parts of the town where any disturbance is apprehended?—I have the honour to be, Sir, &c.

"W. Paton."

The answer, expressing the opinions of the Government, was exceedingly useful to those for whose guidance it was intended; for, this being an inquiry as to what course of proceeding was to be taken on the morning of the 12th of July, the letter giving the magistrates advice was written on the evening of the 12th, and was received in Armagh on the morning of the 13th. The letter was in these terms:—

"Dublin Castle, July 12, 1846.

"Sir—I am directed by the Lord Lieutenant to acknowledge the receipt of your letter of the 8th inst., and to acquaint you that it must be left to the discretion of the magistrates how far the sworn informations received will justify their interfering to preserve the public peace by arresting the progress of the procession. It is obvious that the most effectual mode of preserving order will be by placing a strong force in the locality where a collision between hostile parties is principally feared.—I have the honour to be, &c.

"T. N. Redington.

"W. Paton, Esq., J.P., Armagh."

I must now, even at the risk of wearying your Lordships, refer to a few points of the evidence, some of which—as being, I suppose, considered immaterial—were altogether omitted by Mr. Commissioner Berwick from his report. Evidence was given to show the opinions not only of the local magistrates, but of the stipendiary magistrates, with regard to this particular meeting on the 12th of July, and also upon the general question whether party processions, *per se*, were illegal or not. Some of your Lordships may, perhaps, not be disposed to lay much stress upon the opinion of Mr. William Beers; but he states that he believed the procession was not an illegal one. [The noble Lord read an extract from a shorthand writer's report of the evidence of Mr. Beers, in which that gentleman stated that he was of opinion the meeting was legal, and that opinion prevailed among the magistrates. His reason for entertaining the opinion was, that he had been informed that on the 17th of March, the high sheriff at the assizes informed Chief Baron Pigot that an armed body of men was coming into the town, and asked what course he should take; and the Chief Baron said, that if danger of a riot was apprehended, the military might be called out; but in the meantime the procession passed quietly through the town.] But what was the evidence given by my noble Friend Lord Roden? I am quoting now, not from the "material" portions of the evidence furnished by Mr. Commissioner Berwick, but from the notes of a shorthand writer who attended the whole proceedings, who took the evidence much more fully than it appears to have been taken by Mr. Berwick, and the accuracy of whose report has been verified by affidavit in the Court of Queen's Bench by himself, and testified to by the different parties who gave evidence. One of the papers for which I move is the report annexed to the affidavit of John Porter, which was taken by the reporter for the same newspaper whose report was relied upon in these proceedings by Mr. Berwick, as testifying to the accuracy of the terms used in a speech delivered by Mr. W. Beers, and upon which report Mr. Beers was condemned and removed from the commission. I hope, therefore, that my noble Friend will not impugn the accuracy of this report of the proceedings before the Commissioner. I must beg your Lordships to observe that the report of Mr. Berwick—a report of evidence supposed to contain all that was material, and furnished as the ground, and the sole ground, for the summary dismissal of two magistrates—does not distinguish between the evidence taken on the examination in chief and that taken on cross-examination; it does not state, in answer, to whom the evidence was given; but it gives a summary of the evidence, sometimes confounding the evidence which was given in July and August with that subsequently given by the same witness in the month of September. Any person at all acquainted with the nature of criminal proceedings, must be satisfied that it is of the greatest consequence to know whether evidence was given on examination in chief or on cross-examination, and to know by whom the questions were put, in order to judge of the probable object of such questions; but there is no separation of this kind in the evidence presented by Mr. Berwick. I was about to ask your Lordships' attention to the evidence of my noble Friend Lord Roden. He says—

> "On the 17th of March last, between seven and eight o'clock in the morning of that day, I rode to this town, to see the procession for myself; saw scattered groups of people as I rode along, all armed. They seemed very much surprised to see me there alone at that hour of the morning; some of them were very civil to me, and touched their hats; others fired off their guns. After breakfast I rode out again, with my son, and did my utmost to prevent the Protestants, who were very much alarmed, from offering the Ribandmen any annoyance. Was engaged riding through the country, with my son, the whole day for that purpose. I prevailed on the Protestants to keep quiet, and the procession got no annoyance. After dinner, in the evening, a party of the Riband procession marched through my village (Bryansford), which is a Protestant village, and as they passed my gate they fired a volley over it; it did no harm—it was done more for bravado than anything else, I think. They did not get any annoyance in consequence of that. If I had thought the Orange procession was illegal, it should not have entered my gates."

In his subsequent evidence he says—

> "My impression was, that both processions, on the respective days of the 17th of March and 12th of July, were not illegal; if not, I should have felt it my duty, as a magistrate, to stop them. Both parties seemed to agree that each had a right to walk on the respective days. My opinion was, that after the expiration of the Processions Act both parties had a right to march."

Mr. Shaw, another of the magistrates, says—

> "Orange processions have been permitted from time immemorial by Government; have always seen arms with them, which were fired off foolishly; did not consider this an illegal procession because the men had arms with them. I say, that seeing the procession with arms in their hands did not create terror in me, nor did any one else declare to me that he felt terror. Cannot say if the Roman Catholics had reason to feel terror."

Mr. M'Mullan, a Roman Catholic magistrate, said he never knew there was any law to prevent processions. Captain Fitzmaurice, the stipendiary magistrate, who was sent down to act with the other magistrates, says—

> "I did not consider the body of men I saw assembled on Mr. Beers' lawn an illegal body."

Yet that evidence of Captain Fitzmaurice is considered immaterial by Mr. Commissioner Berwick, and is omitted from his report. I must trouble your Lordships with a somewhat lengthened extract from the evidence of Mr. Hill, another stipendiary magistrate, which is given very briefly in Mr. Berwick's abridgment. Mr. Hill says—

> "On the 12th of July, 1848, the Orangemen marched by the new road to Castlewellan; I escorted them, on that occasion, as on this 12th, with police; they were not molested in any way in 1848; I have also escorted bodies of Ribandmen, on various occasions, and protected them. . . Mr. Francis Charles Beers walked with me at the head of the police, from Ballyward to Castewellan, as a magistrate, and not as a leader of the Orangemen; he could not have acted as a leader of the Orangemen without my knowledge; did not think the meeting was an illegal or unlawful assembly, especially as I had repeatedly reported the fact of armed processions to Government, and sent forward the names of parties for prosecution, without Government taking any notice of the matter; the Orangemen have always been in the habit of assembling to celebrate a ceremony on the 12th of July with arms in their hands; on the 17th of March, Mr. F. Beers, with a party of police, went at the head of a Riband procession that passed by Kate's Bridge; he kept the peace on that occasion; Mr. F. C. Beers was with me when the firing took place; he did not join the Orangemen, but remained with me, and acted as a magistrate, being exposed to the fire as well as myself; never before saw so peaceable a procession of Orangemen as this one, up to the time of the skirmish."

That is the evidence of Mr. Hill; but will your Lordships believe that the only line of that evidence recorded by Mr. Berwick is this?—"I have repeatedly reported the fact of armed processions to the Government." Mr. Berwick omits the evidence as to the conduct of Mr. Beers on that occasion; he omits the opinion of that gentleman, that he did not consider the meeting illegal, and the reason for that opinion; because, after his repeated representations to the Government, they had taken no steps to prevent such meetings. All this is judged immaterial by the impartial Mr. Berwick, and is omitted in the evidence laid before my noble Friend opposite. I would beg your Lordships to compare the evidence of Mr. F. Beers, as given in Mr. Berwick's report, and in the report to which I have referred. Mr. F. Beers, in alluding to the Riband procession which took place on the 17th of March, is represented, in Mr. Berwick's report, as saying—

> "I did believe that the procession of the 17th of March was an illegal procession; and I have little doubt that the procession of the 12th of July [there is a blank here in my notes of one line]—I believe they thought there would have been an attack, and, therefore, that they left their houses."

This is most improbable evidence for a gentleman to give who says he thought it his duty to escort that very procession and protect it. But in page 114 of the report of the evidence I have before quoted from, Mr. Beers makes this statement:—

> "I escorted them through what I conceived the dangerous part of the road, and, after I left them, they fired shots into my demesne; the Processions Act having expired, I really did not think this an illegal body, but I thought there was danger of a breach of the public peace should the Orangemen and they come in contact."

And yet, in the face of this evidence, Mr. Berwick would lead you to believe, by his significant blank, that Mr. Beers had given an opinion that the meeting was illegal, while, on the contrary, he declares that he believed it to have been legal. That, I think, my Lords, is a direct perversion of the evidence; and upon this perverted evidence it was that my noble Friend was called upon to judge of the merits of the case. Mr. Berwick, however, lays down the law after a fashion of his own, and in a very singular manner. I am aware that I ought to apologise to your Lordships for attempting to deal with a question of this kind; but I must say that the doctrines laid down by Mr. Berwick appear to me so extraordinary, that it is impossible they can have any foundation in law. In page 9 of his report, Mr. Berwick lays down the principle, that—

> "All bodies or processions of men, whether armed or unarmed, but more particularly if armed, who are assembled under such circumstances as are calculated to endanger the public peace, and to excite terror and alarm amongst Her Majesty's subjects, are thenceforth to be considered and treated by those assigned to keep the public peace as illegal bodies, dangerous to the well-being of society, and therefore to be repressed, if necessary, by the strong arm of the law. And it is also an equally plain proposition in law, that any body of private persons combined even for the most innocent and lawful object, who proceed in numbers to effect that object, with a determination to resist by force all who shall oppose them in their design, is dangerous to the public peace; their acts become thenceforth illegal; and all who lend their assistance or countenance to their proceedings are abettors in, and answerable for, all the resulting consequences."

The inference which Mr. Berwick manifestly seeks to draw from the law thus laid down as applicable to this case is, that if I and some of my neighbours in pursuit of a lawful and innocent object, are met with threats, and violence, and outrage—if we are told that parties have collected to oppose us by force, and to prevent us from performing the most innocent, and even most praiseworthy acts, the fact of their being an illegal combination against us makes our arming for our own protection, with a determination not to be put down, an illegal act in itself; and that in consequence of the illegal conduct of our opponents, our innocent act is converted into an illegal proceeding. My Lords, a more monstrous proposition was never attempted to be brought forward by any person professing even the slightest knowledge of law. Every person possessing the least acquaintance with the fundamental principles of the British constitution is aware of the right which every Englishman has to protect himself, his wife, his family, and his servants, by violence, if need be, against unlawful oppression and unlawful force from any quarter. This proposition does not need enforcing; but in the fifth report of the Commissioners on the Reform of the Criminal Law, I find this passage:—

> "If it be proper that the law should allow a man to defend his dwelling-house, or his person in his dwelling-house, by numbers and arms, it must be equally so to give him the same means of retaining possession of his lands when threatened with an unlawful entry; and of his goods, when they are about to be taken from him; and also of protecting his person when he has reason to apprehend an unlawful assault wheresoever it may occur."

That doctrine is consistent with reason and with our constitutional principles and practice; but if the doctrine of Mr. Berwick were carried to the extent to which he is disposed to press it, English law would be —what it never was intended to be, and what I hope it never will be allowed to be —absolutely destructive of English liberty. I may refer your Lordships, in further explanation, to a distinction taken by two very distinguished Members of this House in the proceedings in error; in the case of the late Mr. O'Connell, in 1844. In that case there was a count charging intimidation, which was declared by all the noble and learned Lords who were present to be bad, as ambiguous and uncertain, inasmuch as, according to a noble and learned Lord opposite, it did not appear from the count whether the intimidation charged was intimidation in defence of the law, or intimidation against the law; or, as my noble and learned Friend near me said, it did not appear that it was not an intimidation of the intimidators. If it had been an intimidation of the intimidators—an intimidation in defence of law against those who were violating the law—there could be no doubt in the mind of any human being, except Mr. Commissioner Berwick, that that intimidation would have been perfectly lawful, and that no person could have been punished for it if these processions were not pronounced illegal in 1846. I may ask how it is that so sudden a change has come over the spirit of the dream of noble Lords opposite with regard to the body of Orangemen since 1848? For the answer to that question I think I may appeal to my noble Friend the Lord Lieutenant of Ireland. I ask him what were the circumstances of the year 1848? I ask him in what condition he and the Government stood in March, April, and May, 1848? I ask him whether he did not find it politic, wise, and necessary, threatened as he then was by a most insane rebellion, hardly more ludicrous in its results than it was formidable in its preparations, I ask whether he did not then rejoice in the demonstration of Orange numbers, of Orange force, of Orange loyalty? I ask where were then the Orangemen of Ulster? There was no talk then of "what is called grand master of a lodge;" but grateful acknowledgments and thanks were given to the loyal Orangemen of one district, and the loyal Protestants of another. [A Peer here made a suggestion to the noble Lord.] Ay, to the loyal Orangemen. Answers were given to the addresses of the loyal Orangemen; the loyal Orangemen were intrusted with arms—not perhaps with the knowledge of the noble Earl opposite (the Earl of Clarendon), but certainly by persons very nearly and intimately connected with him. They were intrusted with arms for the formation of a body which professed its determination to exclude Catholics —an exclusively Protestant body, such arms being furnished by the command of Sir Edward Blakeney, in 1848. [A Peer here made a remark to the noble Lord, who immediately said]—I believe that to have been the case; but if there is the smallest doubt on the subject I withdraw the statement. There is, however, no doubt that in 1848 the Orangemen, as Orangemen, were not only flattered, petted, caressed, but much more than that—they were trusted; and it was in consequence of the organisation, the numbers, the power, and the determination of the Orangemen, that my noble Friend opposite was enabled to strip Ulster comparatively of the Queen's troops, and to leave the preservation of the peace of that province in the hands of the loyal Orangemen. To show the spirit which existed in 1848, I may read an extract from a letter addressed by my noble Friend (the Earl of Roden) to Mr. W. Beers. He says—

> "I trust the excellent advice you have given the Orangemen of the county of Down will be duly appreciated and strictly adhered to; so that our valuable institution will gain the approbation of many who have hitherto disapproved of it. The peaceable demeanour of our brethren, and the calm, but determined, deportment of the thousands of brave Orangemen who will unite in celebrating their anniversary on the 12th of July, cannot fail to insure this result. Had it been consistent with your arrangements, I should have been happy that the ground chosen for your meeting was within the gates of Tollymore Park, where an opportunity would have been afforded me of witnessing the numbers, as well as the loyalty, of those lodges over which you preside. . . It is of little consequence to us now what political party is in power; perhaps the least danger is to be apprehended from those who are the present Ministers of the Crown; but I am sure it is our duty as loyal Orangemen to give every support in our power to the Earl of Clarendon's Government, so long as the law is put in force against its transgressors, and that justice and impartiality are fairly meted out to all denominations of our countrymen."

Did the noble Earl then disclaim such allies—did he refuse to accept their assistance, on the ground that they violated the law by illegal demonstrations of force, and by illegal party processions? No such thing. It was known that my noble Friend (the Earl of Roden) was at that time in constant, familiar, and confidential communication with the noble Earl opposite; yet no notice of dissent from the course pursued by the Orangemen of Ireland emanated from the noble Earl, and they had a right to believe, and did believe, that their processions and meetings were sanctioned by the Government. If these meetings were in themselves illegal, why were they allowed to be carried to a greater extent in 1848 than at any previous time? and I ask if, according to the doctrine of Mr. Berwick, they were all grossly illegal *ab initio*, why informations were not tendered in a single case of such illegal meetings and processions?

But I will inquire, in the next place, had the Government no notice of these proceedings in 1849? Why, Mr. Scott, a resident magistrate of the county of Down, states in evidence, that he had apprehensions before the 1st of July that serious work would take place on the 12th of that month; and he says—

> "I spoke to Mr. M'Mullin, a Roman Catholic magistrate; I told him I was going to Dublin, and asked whether I might state at the Castle, on his authority, our apprehension that there would be a riot. I called at the Castle and saw Mr. Redington, and told him I called on the subject, fearing there would be a riot."

Mr. Scott subsequently stated, in cross-examination, that he put Mr. Redington in possession of all the information he had, and told him that both parties were armed very extensively. The sub-inspector of police, Mr. Hill, also gave similar information to the Government, and told them even that the meeting was to be held in Tollymore Park, the seat of the Earl of Roden, who was then in constant confidential communication with my noble Friend opposite. I ask the noble Earl whether, at that time, he gave to the Earl of Roden the slightest intimation that, by receiving a procession such as had been described in Tollymore Park, he would render himself liable to be implicated in the proceedings of an illegal assembly? If that were not done, if no such warning proceeded from the Lord Lieutenant, who was perfectly acquainted with all the facts of the case, then I say that my noble Friend had cause to be surprised when he was told that by receiving the procession in Tollymore Park he had implicated himself in the proceedings of an illegal assembly. But these were not the only gentlemen who gave information on this subject to the Government; they were the only two mentioned in Mr. Berwick's report. Similar information was given by Mr. F. Beers, though the fact is omitted as immaterial in the report of Mr. Berwick. Mr. F. Beers was in Dublin at the time, and, as far as it appears, had no intention of taking part in the procession. He wrote to the Sub-Inspector of police on the spot to know what was going to take place. The Sub-Inspector wrote to Mr. Beers, entreating him to go down for the purpose of preserving the peace. Before Mr. Beers left Dublin he called upon the Inspector-General of police, and gave him information on the subject. The Inspector replied, that he had sent down a sufficient force to preserve the peace, and requested Mr. Beers to go down to the spot; and for so being upon the spot, in consequence of information he received from the Inspector and Sub-Inspector, this matter being omitted in Mr. Berwick's very faithful report, and, for taking the part I shall describe to your Lordships, Mr. F. Beers was summarily dismissed from the commission of the peace.

Mr. Berwick says, he thinks the stipendiary magistrates were wrong in not having taken steps to prevent the procession, and in not distinctly requiring the assistance of their brother magistrates to prevent the march of the Orange party through the district. It is very easy to blame the stipendiary magistrates for not taking that course; but when the magistrates of Armagh asked if they would be justified in such interference, they were told they would not—that they must act on their own discretion. Why were not the magistrates furnished with distinct instructions? If they had such instructions, I want to know where they are. I want to know what instructions were given to the stipendiary magistrates who were sent down specially from other districts to advise the local magistrates, and whether they had directions to prevent this procession from taking place. I want to know why no informations were sworn? I will tell your Lordships why—because no danger was apprehended from the procession. No danger of a collision was apprehended, except by those who were determined unlawfully to obstruct the procession, and they did not swear informations because they trusted in their intrenchments and their walls, from the shelter of which they committed their dastardly and cowardly attack. There was no apprehension that the public peace would be violated by the Orangemen; nor, till the attack upon them, was there a single instance of irregularity or misconduct on the part of any of that body.

I now come, my Lords, to another part of the case—the character of the commission. I say that the commission is a matter of much more doubtful legality than the procession. I should like to know where my noble Friends opposite found any warrant for the issue of a commission of inquiry into crime—a commission to be conducted according to no known principles of law, but in violation of the best known principles of law—and which, according to Lord Coke, is itself illegal. That learned writer said—

> "A commission is a delegation by warrant of an Act of Parliament, or of the common law, whereby jurisdiction, power, or authority, is conferred to others. All commissions of new invention are against law, until they have allowance by Act of Parliament."

Mr. Whiteside, a very able Irish lawyer, had said with regard to commissions of inquiry (referring to the case entitled "Commissions of Inquiry," 12 *Reports*, 31):—

> "There a commission was granted to certain commissioners to inquire into depopulation of houses, converting of arable lands into pasture, &c. This commission was held to be against law. For this, 'that it was only to inquire, which is against law; for by this a man may be unjustly accused by perjury, and he shall not have any remedy.' And again, 'No such commission ever was seen to inquire only of crimes.'"

Mr. Whiteside further said—

> "I think it clear no witness sworn and examined before Mr. Berwick could be prosecuted for perjury. And upon the highest authority in the law it is submitted this commission of inquiry granted to Mr. Berwick was illegal and unconstitutional—a positive obstruction to justice; permitting the defamation of individuals, the taking of false oaths, for which there could be no punishment, and provoking resistance to its mandates where, if death ensued, there could be no prosecution for murder."

In 1835 an Act was passed for the purpose of abolishing certain oaths and affirmations, and section 13 provided that after the passing of the Act it should be unlawful for any justice of the peace or other person to administer, or allow to be administered, or to receive, or cause or allow to be received, any oath or solemn affirmation touching any matter or thing whereof such justice or other person had not jurisdiction or cognisance by some statute in force at the time. Now, I beg the noble Lords opposite to point out by what statute Mr. Commissioner Berwick was authorised to summon witnesses, or to administer oaths, in defiance of this distinct Act of Parliament. Mr. Berwick's court appears to me to have been a mock tribunal, where men's characters were taken away by witnesses who could not be indicted for perjury. I ask, what sort of court was this? Was this inquiry a judicial or a magisterial proceeding? Clearly, it was not a judicial proceeding in conformity with any known principle of English law. There was no person to try; the prosecutor, Mr. Berwick, was also the judge; and, if there were any culprits, they were the witnesses who were brought forward to give evidence. This was no magisterial inquiry, for the nature of magisterial inquiries was defined by the 12th and 13th Victoria, c. 16, which stated that magistrates might grant summonses and warrants against parties accused or suspected. But here there was no party accused or suspected. Magistrates may issue summonses for witnesses, and in this case, no doubt, witnesses were summoned, who were required to answer such questions as Mr. Commissioner Berwick chose to put to them *de omnibus rebus.*

There were, besides, three attorneys and two counsel on each side, who might, in the cross-fire of their examination, put to these unfortunate witnesses questions touching their own conduct with regard to matters which might afterwards become the subjects of judicial inquiry. It is provided by the English law, that in proceedings before magistrates the accused persons shall be cautioned that any statements they make will be taken down and may be used against them; but no such caution was given by Mr. Commissioner Berwick to the persons who came before him in the mixed character of culprits and witnesses. If the investigation had been directed with a view to guide the Executive, as to whether criminal prosecutions should not be directed against offenders, and its proceedings had been conducted privately, he should have felt less objection to it; but it was directed against the discretion of the magistrates. Mr. Berwick declared his court to be an open court, to which all persons had right of access, open to all the world. His next proceeding was to summon witnesses, and to threaten with committal those who did not attend his illegal summons; nay, to threaten with committal persons who omitted to produce papers and documents which he chose to call for. I say that, whatever may have been the case as to the commission itself *in initio*, these proceedings of Mr. Berwick, in his commission, were without any warrant of law; and I say that the publication of this illegal evidence, collected before an illegal tribunal, was prejudicial to the administration of justice, inasmuch as the publication of that evidence prejudiced persons who were liable to be put on their trial; persons, some of whom, as I am reminded by my noble Friend behind me, have since been actually indicted, and are about to undergo a trial, with all the prejudice arising from that publication arrayed against them.

I will proceed to show that not only were the proceedings before the commission illegal and unwarrantable in themselves, but that the evidence taken has not been fairly stated in Mr. Berwick's report. I have got here some few illustrations of this fact, among a great many samples that I might readily adduce. First, I will request your Lordships to turn to Mr. Berwick's statement, page 5, about the shots fired at Mr. Morgan:—

> "Unfortunately, however, after the procession had ended, some stragglers from the Orange party committed some acts of violence, and fired shots in the evening on their way home in the neighbourhood of Mr. Morgan's house, the balls from two of which came so close to that gentleman, that he was of opinion that they were fired at him, and his parishioners were, in consequence, much exasperated."

What was the evidence actually given before Mr. Berwick? That, on the evening of the 12th, as the procession was returning, some Catholics were firing off a few shots, and the Orangemen thought these were fired at them, upon which some of them turned back to repel the insult. So that whereas, according to Mr. Berwick's account, this was an unprovoked attack by the Orangemen on the Roman Catholics; the facts, as stated in the evidence, show that the attack originated "in a few shots" fired by the Roman Catholics at the Orangemen, a portion of whom turned back to repel the insult; and there is in support of this statement the evidence of Mr. W. Beers that he remonstrated on the particular occasion. There is manifestly, then, a decided bias not only in Mr. Berwick's report, but in his selection of the evidence. In the next page to that I have quoted, after mentioning that Mr. W. Beers had given repeated announcements on the subject, and setting forth that Mr. Beers organised the procession, Mr. Berwick proceeds to say—

> "About the time this was taking place, Mr. Fitzmaurice had arrived, with Mr. Hill, from Rathfriland at Ballyward, the residence of Mr. Francis Beers. There they found the Orange party assembled in arms in his demesne in great numbers, their place of rendezvous having been fixed at Ballyward church, whence they were to proceed, through Mr. Beers' demesne, on their road to Castlewellan."

But when we turn to Mr. Beers' evidence, we find him stating—

> "I did not organise the procession. I organised the constabulary and military, who were to protect the procession, and not the procession."

Yet, with this evidence before him, Mr. Berwick tells us that it was in Mr. Beers' demesne the Orange party was mustered. Now, as to the reasons for not taking the new road home, Mr. Berwick states in his report—

> "The magistrates were then assembled on the hill, and all agreed that it would be most dangerous to allow the Orange party to come back by the same road, and it was arranged that Mr. Fitzmaurice should proceed to Lord Roden's, and request his Lordship's interference to induce them to return by some other way. The Rev. Mr. Morgan, though still expressing his fears of a collision, appears to have doubted the utility of such an arrangement,

as he said, 'since they had gone that road, they might as well come back the same way.'"

Now, Mr. Morgan gave no such evidence, nor anything like it. He stated that, in point of fact, he did at first express the opinion that as they had come by the old road they might as well return by it; but he afterwards altered this opinion, a fact which does not at all appear on the face of the proceedings. The evidence which he did actually give is contained in page 105, and, where not altogether omitted, is altogether misrepresented in Mr. Berwick's report. It is not the fact that all the magistrates were of the opinion stated by Mr. Berwick. The magistrates deputed Mr. Fitzmaurice, who proceeded to Tollymore-park, and represented to Lord Roden that there might be some danger in returning the same way, giving this, not as Mr. Morgan's opinion, but as his own; and Lord Roden having spoken with Mr. W. Beers, said that he had received reasons which he thought sufficient to induce him to the opinion that if he advised the Orangemen to return by the new road instead of by the old, a portion of them might take his advice, but the other portion might not take it, and thus there might be split among them, the consequence of which would be an infinitely greater danger of collision than there would be if they went altogether in a body. The reason thus assigned was amply sufficient to have guided the judgment of Lord Roden, if that had been the only question, or if Lord Roden had been the person to determine the question. And mark, that if the procession had adopted the advice, and gone by the new road, the result would have been, after the movement of the Riband body, by which they took possession of the hill which commands both roads, that the Orangemen would have been exposed to the attack of the Ribandmen on the other side of the hill of Magheramayo. The reason, such as it was, which thus influenced the route of the procession, and which is represented in Mr. Berwick's report as quite insignificant, is not even referred to in the letter of the Under Secretary, written, I presume, under the direction of my noble Friend. Mr. Tabuteau gives it as his opinion that, if the Orangemen had gone the other road in the morning, no collision would have taken place. The priest also lays infinite stress on this point, on the importance of keeping the body together, and he even vindicates on this ground his administering to a large armed assembly his blessing, on the condition that they would not attack the Orangemen; a condition which, when they were asked the question, it appears they did not give any assent to; but nevertheless he administered the blessing. His view was, that so long as you kept the whole body together, mischief might be prevented, but if stragglers got running over the country with arms in their hands, collision was inevitable. I go on to another misrepresentation of Mr. Berwick on a very important point. He says—"Two Roman Catholic clergymen appear to have exerted themselves without effect to induce this body to return to their homes." Now, the two Roman Catholics did no such thing. The evidence on this point is—

"I did advise them to go away out of that in the middle of the day, but did not tell them to go home. If I stated formerly that I did tell them to go home, I did not do it knowingly. The reason I did not tell them to go home was, that I was afraid lest some evil-disposed persons might not do so, but waylay the Orangemen, as they were returning home, and attack them."

There are only two other points in this evidence on which it is necessary to say a few words. Mr. Berwick says when the procession was formed, a blank shot was fired, but from what party he was not able to say. Now, I will not call your attention to the details of the evidence, but the circumstances were somewhat remarkable. One witness states that when the procession was formed he followed it some way, and then states that a squib or signal was fired. Seven or eight other witnesses state that they did not see the squib, but heard it, and further state most of them, their impression that it came from the road. On the other hand, a number of soldiery not connected with the procession, swear most positively, and on their oath, that they saw the smoke, and that they heard the squib, and that, most distinctly, it was fired on the hill; that immediately afterwards two persons came forward from among the Ribandmen and fired two shots, which shots were immediately followed by a volley; yet after this sworn evidence Mr. Berwick ventures to state that he considers it doubtful which party it was that fired, or rather, indeed, that he considers the balance of evidence to be in favour of the opinion that the shots were fired from the hill. Balance of evidence! Why, the whole evidence is on one side, and none on the other whatever! Or give the "impressions" on which Mr. Berwick thinks fit to rely, the title of evidence, and still, what evidence is it? The evidence of persons whom Mr. Berwick himself elsewhere admits he does not believe—evidence of a piece with that of the witness who says—"The four of them, that is, soldiers, presented their guns at me; they were as close to me as you are (that is, about two yards off), and they all fired at me; but, thank the Lord, they all missed me." Evidence such as this is, I submit, not to be listened to for a moment, against the solemn and distinct testimony of magistrates, military officers, police, against the positive oaths, in the particular case, of six persons who did see the smoke of the squib, and did see it fired, and did hear and identify the report—while all that is brought forward on the other side is the impression of persons who saw no smoke, who saw no flash, nor heard a report. My Lords, Mr. Berwick may be a very able counsel, a very clever advocate in putting forward one side of a case, but God defend me from being placed before him as my judge, where my fate depended upon an impartial summing of the evidence. There is another statement I must make a remark upon. The report says — "The skull of an idiot was beaten in with the butts of their (that is, the Orangemen's) muskets." This is very circumstantial, and one would suppose, of course, that the fact as stated had been seen; that Mr. Berwick, or some competent witness, had actually witnessed the knocking in of the skull by the butt-end of the Orange musket, so absolutely identified as not a Riband butt-end: not a bit of it: the idiot boy, as the Riband evidence called him, but in reality a man of 40, was not seen to be killed at all, and the only evidence about him is that of a lad of 16, who states that he saw him lying on the road with his skull beaten in, and that of Mr. Fitzmaurice, who also states that he saw him lying in the road, and that his impression was he had been shot from the hill. Yet, upon such evidence as this, we find Mr. Berwick deliberately stating that no doubt the poor man's skull had been beaten in by the butt-end of an Orange musket. That the poor man was killed, no doubt, indeed; but that he was killed by the butt-end of a musket, much doubt:—for, in the first place, a bullet, a sufficient cause of death, was actually found in his head; and, in the second place, while he lay dead on the road, two troops of dragoons passed over his body—a circumstance of itself amply sufficient to account for the appearance of the head. Mr. Berwick, however, thought fit to be of a different opinion. As to the evidence of the Ribandmen, imputing to Mr. Beers cruelty and outrage, were the evidence true, Mr. Beers would not be adequately punished by the deprivation of the commission of the peace; far heavier punishment would be his due; but Mr. Berwick himself does not believe one word of their evidence on the subject, and we have the distinct evidence of every human being credible on the point that Messrs. Beers were both earnestly engaged throughout the conflict in seeking to protect all parties from outrage. The commission endured from the beginning of August to the end of November, and in the next session informations were tendered by the Crown Solicitor, on the part of Mr. Berwick, against various parsons. In the first place, I would ask why were these informations laid before the magistrates at Castlewellan, many of whom were known to have been present at the procession? Every single witness, every single person proceeded against resided at Rathfriland, 12 or 14 miles off, and all entreated to have the case tried in their own district; but, for some reason or other, Mr. Berwick thought fit to have it proceeded with at Castlewellan. Moreover, Mr. Berwick thought fit to be present, and to expound the law, and to assist the magistrates with his counsels. And here let me say that, as I do not wish to go beyond the clear merits of the case, I am prepared to admit in the presence of my noble Friend the Chairman of the Castlewellan bench, that having been, however indirectly or remotely connected with the procession, it might perhaps, have exhibited somewhat more discretion had he abstained, on that particular occasion, from presiding. But admitting, however, an act of indiscretion on his part, the indiscretion was not of a character which afforded the shadow of a case for the removal of my noble Friend. Suppose the case, that before a petty sessions there come on the question of some pathway that has been stopped up; will it be suggested that because any given magistrates, who take an interest in the opening or closing of the path, attend in their places on the bench, they are to be subjected to severe imputation, or, far more, removed? Many instances have occurred where magistrates, and in high stations too, have heard, and blamelessly have heard, cases in which they have themselves been notoriously interested. The noble and learned Lord on the woolsack, for example—and he will do me the justice to believe that I do not refer to him in the slightest degree offensively—not above two or three months since heard, as Lord High Chancellor of England, a case of property between an individual and a company, the Grand Junction Canal Company, and decided in favour of that company, he himself being a large shareholder in it. Did any man take exception to this proceeding, and put it as a case for Parliamentary censure and impeachment? Yet the impeachment of the noble and learned Lord would have been only an analogous case with, and not a whit more serious case, than the degradation to which my noble Friend has been subjected at the hands of the Government. Another circumstance to be observed upon is that the bench at Castlewellan on this occasion was not the ordinary bench; by some accident or other it so happened that upon that particular occasion three or four gentlemen were present, who came from distant parts of the county, and who further happened to have strong political opinions coinciding with the views of Mr. Berwick, and who made up the minority that voted in favour of the informations. Why was Mr. Berwick there at all? Why, he was there to intimidate, to overawe, to bribe the magistrates. Not in a pecuniary way of course; but the term "bribery," strong as it may appear, is not an atom too strong for the fact, when I can show that Mr. Berwick, when he found the magistrates indisposed to receive his definition of the law, endeavoured to persuade them privately to take a course which they did not deem consistent with the constitution, by the promise which he, in his quality of High Commissioner, thought fit to give, that if the parties were convicted the sentence should be only a nominal sentence. At least, he put forward this statement as an inducement for the magistrates to find the informations — that, if he were the judge who had to try the case, he should decidedly be of opinion that the punishment should be only nominal. I want to know what business Mr. Berwick had to attend this petty sessions at all? This was a matter in which the magistrates had to act on their own responsibility, and according to their own discretion; and yet Mr. Berwick set about to induce them wholly to surrender that discretion, and to forget that responsibility. Let me cite the words of a learned Lord (Lord Plunkett), in 1823, exactly appropriate to the present occurrence:—

> "It (a committee) is a judicial act on the part of the magistrate; he must exercise his own discretion, and rest upon his own responsibility. I conceive it would be a great violation of duty in him to relinquish his own judgment to that of any other person, and I conceive it would be a very improper thing on the part of any other person to give him a direction."

In reply to the further question—"Would you think a magistrate acted properly in committing on the opinion of the law officers of the Crown, on evidence taken before them, without himself examining that evidence, and having it regularly sworn and reduced into the form of informations before him?" The noble and learned Lord replied—"I should think that he acted very irregularly and improperly in so doing." What was the case at Castlewellan petty sessions? I hold the information in my hand—that information was not drawn up according to the definition of the law laid down by Mr. Berwick, for his subordinates did not think it prudent to follow his authority in the matter. The information runs thus:—

> "For that you, on the 12th day of July last, in the parish of Drumgooland, in said county (with several other evil-disposed persons unknown, to the number of 500 and upwards), unlawfully, riotously, and tumultuously assembled and gathered yourselves together, to the great terror and alarm of several of Her Majesty's subjects thereabouts residing; and, further, that you, being so assembled, did commit, and aid and abet in the commission of, divers overt acts of violence, in furtherance of the objects for which you and said other persons unlawfully assembled together, &c."

That was the form. What was the evidence on which the information was supported? Mr. Inspector Hill states that Mr. Jardine, the first person charged with being engaged in any illegal violence, was not engaged in any act of violence; that the assembly did not create alarm in Mr. Hill, and was not calculated to excite terror and alarm in the minds of Her Majesty's subjects; that it was quiet and orderly, accompanied by the stipendiary and other magistrates, with a large body of police and military, and also with many respectable women and children belonging to the families of those who composed the procession. Such was the evidence which was to affirm the informations; and upon such evidence most assuredly the magistrates were fully justified in refusing to receive the information, notwithstanding Mr. Berwick's insisting upon the vital importance of having what he called the law established. If the law was as clear and undoubted as Mr. Berwick seemed to think it was, and if his object was to have that law established by a decision, I must say he took a course not at all calculated to obtain that end, but one which seems to me more likely to prevent a decision from being obtained. If Mr. Berwick was right that this was a mere point of law and not of discretion, why did not he apply to the Court of Queen's Bench for a *mandamus* to compel the magistrates to receive the information? For if the magistrates had violated the law by refusing that information, the Court of Queen's Bench would undoubtedly have granted a *mandamus* in the case. If, on the other hand, it was a case of discretion, the court would not have granted the *mandamus* except upon evidence of a corrupt intention. It seems to me that this was clearly a case for the judgment and discretion of the magistrates, and that it is evident the magistrates exercised a sound discretion. There is another course which Mr. Berwick might have taken. Why did he not indict the parties before the quarter-sessions? I have said that the Court of Queen's Bench would not have granted a *mandamus*, except upon evidence of corruption. On the 2nd of August they could not have done so; but they could on the 9th of October, when the second meeting of the magistrates was held, before which informations of a similar character were tendered, and rejected by thirteen out of fourteen of the magistrates, notwithstanding the opportune dismissal of Lord Roden two days previously. In the meantime an Act had come into force (namely, the 12th and 13th Victoria), entitled, "An Act for the Protection of Her Majesty's Subjects in Ireland," by which it is enacted that where magistrates shall refuse to do any act required of them, it shall be lawful for parties to apply to the Court of Queen's Bench for a rule calling upon the justices to show cause why they have not done it, and if, after due service of such rule, they do not show cause, the Court shall have power to compel them to do the act so required. This statute came into force on the 2nd of October, and would have supplied Mr. Berwick with a simple and inexpensive mode of establishing the law, had he chosen to avail himself of it; but he did not. I have now very nearly concluded my statement. But there is one point to which it is impossible I can refrain from adverting, although I shall compress my observations into the narrowest compass. I presume that Mr. Berwick's report and the minutes of evidence, such as they were, reached the Lord Lieutenant soon after the 22nd of September (the date of the conclusion of the inquiry). No doubt the Lord Lieutenant must have carefully perused the evidence. As a proof of the time and attention which he paid to the case, I find that his Lordship's letter, or rather the letter of the Under Secretary to the Lord Chancellor, is dated the 6th of October, and that in that letter it is stated that—

> "on a full consideration of the entire case, the Lord Lieutenant has come to the conclusion that a due regard for the future preservation of the peace in the district in question, and for the administration of justice therein in a manner which will be entitled to public confidence and respect, imperatively requires that the magistrates whose conduct he has thus noticed should no longer discharge the important functions and duties of that office, and I am therefore desired to convey to your Lordship his Excellency's recommendation that the Earl of Roden, William Beers, and Francis Beers, Esquires, be superseded in the commissions of the peace which they now hold."

Now, I have always understood (I shall be corrected by high authority if I am wrong) that the magistrates of Ireland, like the magistrates of England, are not under the authority of the Lord Lieutenant, but of the Lord High Chancellor. I have always believed that it was vested in the Lord High Chancellor to direct and control the magistrates, and I well recollect the virtuous indignation of the noble Lord now at the head of Her Majesty's Government on the occasion of the dismissal of certain magistrates for attending the monster Repeal meetings some years ago—I say I well recollect the virtuous indignation with which the noble Lord expressed a hope that it was not true that the Lord Chancellor had acted, not upon his own judgment, but upon the recommendation of the Lord Lieutenant. The noble Lord on that occasion expressed a hope that anything so unconstitutional, so irregular, so arbitrary, could not have taken place as that of the Lord Lieutenant venturing to interfere with the functions and authority of the Lord High Chancellor in recommending the dismissal of magistrates. It turned out that that decision was taken by the Lord Chancellor on his own responsibility, without having received any recommendation from the Lord Lieutenant to discharge a duty which strictly belonged to himself. I wonder what the noble Lord at the head of the Government thinks of this case. I wonder whether he will condemn this proceeding with the same emphatic and indignant eloquence as he condemned the supposed proceedings on the part of Sir Edward Sugden? But there is another point with regard to the repeal magistrates to which I beg to call the attention of your Lordships. Those magistrates were forewarned that it was inconsistent with their duty to attend the monster meetings; and that if they persisted in attending them, it would be the duty of the Lord Chancellor to dismiss them. Was any such notice given in this case? Had my noble Friend and the other magistrates the slightest reason to suppose that anything would be said or done to them for acting, as they imagined, in the strict performance of their duty? that in the laudable exercise of their functions, I would say, they would be visited with the severe sentence of an arbitrary dismissal? I would ask, too, whether, upon receiving the recommendation of the Lord Lieutenant, the Lord Chancellor read the evidence, considered what had been stated, transmitted copies of the evidence to the magistrates, and asked them what they had to say in their own vindication? No such thing. In the course of the 6th of October the recommendation of the Lord Lieutenant seems to have been conveyed to them, accompanied, as far as appears from the papers, by the report of Mr. Berwick, but not accompanied, as far as I can see, by the minutes of the evidence which had been taken by Mr. Berwick; and before the post went out, as if in order to save a day, the Lord Chancellor, as he states, "in accordance with his Excellency's recommendation," proceeded summarily and absolutely, without asking an explanation or waiting for an answer, without even informing himself as to the nature of the evidence upon which the act professed to be founded, to dismiss three magistrates, who had hitherto acted irreproachably—one of them for forty years—in the commission of the peace—a course of proceeding which I maintain is altogether unwarranted and unjustified by precedent, is in abnegation of the functions of the Lord Chancellor, and a degradation of that high officer to the position of a mere tool of the Executive. And, in adopting that degrading position, he did not even think it necessary to go through the forms of justice by asking what the parties had got to say. One would have expected too, that the letter of the Lord Chancellor to my noble Friend (the Earl of Roden) would have been printed *verbatim et literatim* in the papers presented to this House "by command of Her Majesty," but it is not so. In the printed copy it is stated, "I have to express my regret that I am under the necessity of directing, in accordance with his Excellency's recommendation, that the necessary warrants be prepared," &c.; whereas the original document runs thus—"I regret to be under the necessity of informing your Lordship, that in accordance with this Excellency's recommendation, I have directed," &c. I do not mean to say that the alteration is very material; but I do not see why there should have been any variation at all. I can only account for it by supposing that the Lord Chancellor, in his intense eagerness and hurry to act upon the orders of his master the Lord Lieutenant, said to his son, or whatever other relative acts as his secretary—"Let this be done at once. You write to the two commoners, and I'll write to the peer myself." That, being within half-an-hour of losing the post, he had not had time to take a copy of the letter which he transmitted to my noble Friend, and that the copy now printed had, doubtless, been made up from a copy of the letter which his more leisurely secretary wrote to the commoners.

I would now ask the Government what they have gained by these proceedings? Have they established one point of law? Is the law more clear now than it was before these proceedings commenced? An application to the Court of Queen's Bench, as I have shown, might have settled the case; but the dismissal of my noble Friend does not pretend to settle it. Did the dismissal of the three magistrates, on the 6th of October, induce their brother magistrates, on the 9th, to receive the proffered "information?" Did you carry the feeling of the country with you in favour of the judicial, impartial, and deliberate application of the law? Do you not believe, on the contrary, that by the dismissal of these justices by the authority of the Executive, and not by the Lord Chancellor, you have excited a feeling among the remaining magistrates that they are expected henceforth to be subject to and dependent upon the political chief of the day? And do you not feel that you must have alienated them from the administration of the law, and even irritated them against the law which they are called upon to administer? Have you lowered the character and position of my noble Friend who has been so long known for his estimable qualities? So far from having succeeded in that—if that was your object, which I cannot suppose—your arbitrary and unjust dismissal of him, as it has been felt to be, has called forth in my noble Friend's favour an expression of sympathy, kindness, and respect such as may well console any man who has incurred the displeasure of Her Majesty's Government; and I am sure it must be gratifying to him at the close of forty years' faithful service to receive the testimony that the public know and appreciate his conduct. This testimony does not proceed from Orangemen or Protestants alone. A remarkable paper has been placed in my hand, with which I shall not trouble your Lordships, but I may mention that it is a paper signed by the whole board of guardians over whom my noble Friend presides, composed of Catholics and Protestants, in which they not only express their deep regret at the course which had been pursued towards him by the Government, and bear testimony to the able discharge of his duty to the poor, but state that "it is no less their duty than their pleasure to bear witness to his Lordship's strict impartiality as chairman of the board, his conduct having ever been guided by equal justice to all." And the conclusion of the document is a remarkable one, for, although they have lost the services of my noble Friend as *ex officio* guardian, they passed a resolution requesting him to retain the chair till the annual election, when Catholic and Protestant would unite to place him in the position of an elected guardian, and restore him to the chairmanship of the board. I am now about to conclude my observations, and I regret that I have been obliged to detain the House at such great length. I only wish, in conclusion, to say one word with respect to the motives which have actuated me in bringing this question forward. I do not know that I should have been inclined to take up the case if the Government had not put forth, in vindication of their proceedings, an explanation, which appeared to me to present such a distorted statement of facts, that the public mind was likely to be misled by it. I do not bring forward this question for the purpose of exciting the animosity of Protestants against Catholics, and Catholics against Protestants; neither do I bring it forward for the purpose of reviving forgotten discussions. I have been actuated solely by a desire to let the truth and the whole truth be known in the matter, and to show the country that however esteemed in their private character, however irreproachable may be the motives of public men in official situations, they are not above the set checks and controls as administered through your Lordships and the other House of Parliament acting through public opinion, if, in the discharge of what they believe to be their duties, they overstep the limits provided by the law and constitution. I may be asked why, if these are my sentiments, I do not move a direct vote of censure against the Government? I abstain from doing so, not because I think that the conduct of Her Majesty's Government is not open to serious imputation, but because I desire, as far as possible, on a great constitutional question like this, to keep apart, as far as possible, from party feelings and party conflicts. I bring this question before your Lordships in a *quasi*-judicial capacity. I ask your attention simply to the merits of the case. If I have mis-stated or overstated anything, I shall be glad to be corrected by those who follow me. I ask no Parliamentary triumph in the case. I do not think it would be fair either to the House or to my noble Friend, if I were to place the question before you so as to involve in its decision the acquittal of the Government, or the condemnation of my noble Friend, or the condemnation of the Government and the acquittal of my noble Friend, feeling, as I do, that, with every desire to do justice, you could not help being influenced by party feelings, in deciding a question which comes in the shape of censure upon Government, and that the question would be decided not upon its own merits, or with reference to the hardship of the case of my noble Friend, but simply with regard to the point as to whether the Government should submit to a political defeat. These are the grounds for confining myself to my present Motion. I ask for further information in the case—because I think further information necessary—and because, after this discussion and the production of the papers, the public will have an opportunity of judging whether the dismissal of which I complain was politic, judicious, or just; or whether it was an impolitic, unjust, and arbitrary act on the part of the Government. The noble Lord concluded by moving—

"That there be laid before this House copies of Correspondence between the chief magistrate of Armagh and the Executive Government in the months of June and July, 1846; also, Copies of any instructions to the constabulary in reference to any processions expected to take place on the 12th of July last; and of instructions to the stipendiary magistrates who were specially sent down to Castlewellan before that day; also, Copy of official communications from the stipendiary magistrates and constabulary officers as to the proceedings on the 12th July, 1849, in any part of Ulster; also, Copy of instructions to W. Berwick, Esq., accompanying the commission of the 27th of July, 1849; also Copy of affidavits of John Jardine and John Porter, filed in the Court of Queen's Bench in the Hilary Term last, and of the report annexed to the affidavit of John Porter, and verified thereby; and, also, Copy of any official report to the Lord Lieutenant or the Lord Chancellor of Ireland of the procedings at the petty sessions held at Castlewellan on the 11th of September and the 9th of October, 1849."

The EARL of CLARENDON: My Lords, before I proceed to offer a few remarks upon the speech of my noble Friend who has just sat down, your Lordships will perhaps permit me to express a hope that my presence here this evening may not be considered as constituting a precedent. I am here this evening at a serious inconvenience to the public business of Ireland, in order to defend an act of the Executive Government; and I have done so because I understood my noble Friend (Lord Stanley), in giving notice of his Motion, and the noble Earl who spoke after him (the Earl of Roden), threw out a sort of challenge to me to appear in my place on this occasion, and I thought it might be unbecoming in me to decline it, or that, at all events, my declining it might render my conduct liable to misconstruction. But I did not determine to come without much doubt and reflection, because I thought it would be injurious to the public service, and to the position, always more or less an anomalous one, of Her Majesty's representative in Ireland, if the Lord Lieutenant were expected to appear here in his place upon every occasion when any noble Lord might think fit to require his attendance to explain the acts of the Executive Government in Ireland. If such should become the practice, the result would be, that when party spirit ran high (degenerating, as it too often does, into personal questions), it would be impossible for the Lord Lieutenant to maintain the position and prestige which are essential to his authority in the performance of the multifarious duties which he is called upon to discharge. I had, however, determined to come, before I had the honour to receive a letter from the noble Earl (the Earl of Roden) stating that there was certain matter in the papers laid before the House reflecting upon his character, and that he would not like to make his statement in reply in my absence. But I beg to assure your Lordships that even if I had determined not to come, the assurance that my presence was in any way necessary for the vindication of the noble Earl's honour or character, would have been quite sufficient to make me alter that decision. Upon public grounds, however, I again express a hope that my presence may not be considered as constituting a precedent, although, so far as I am individually concerned, I cannot regret the opportunity of meeting any of those charges or misrepresentations with which, for the last three or four months, I have been perseveringly assailed. I entirely agree with my noble Friend, that no man, whatever his rank or authority in the State, is above the public opinion of this country, and I am, therefore, not sorry that the question has been brought before your Lordships, as by narrating certain facts and supplying certain deficiencies in the narrative of my noble Friend, I trust I shall be able to place your Lordships in a position of judging whether the Irish Government has committed, as my noble Friend says, an act unjust, arbitrary, and unconstitutional, or whether the dismissal of the magistrates was an act rendered imperative by the circumstances of the case, and was unavoidable in the interests of society, for upholding the authority of the law, and maintaining confidence in the impartial administration of justice. In order to enable your Lordships better to understand the case, and the circumstances connected with it, I will in the first place briefly refer to what has taken place since the expiration of the Act of 1832 for restraining Party Processions in Ireland. That Act was introduced, was first introduced, by my noble Friend (Lord Stanley), then Secretary for Ireland, who stated at the time that every one of these processions, as they had all a tendency to break the peace, was a misdemeanour by common law. The Act was renewed by the 1st and 2nd Victoria, and, unfortunately in my opinion, this Act was permitted to expire towards the close of 1845 without renewal. Since that period party processions have no longer been *ipso facto* illegal; but they have always been looked upon, like other assemblages, as being liable to become so according to the character they assumed. If they led to a breach of the peace, or even if they were calculated to inspire reasonable terror in the minds of Her Majesty's peaceful subjects, they at once became unlawful, and were liable to be dispersed, and the parties forming them punishable for a misdemeanour. I believe that is the opinion of every sound and constitutional lawyer, as well as that of Judge Jebb, which was quoted by my noble Friend, in introducing his Bill in 1832. But not being *ipso facto* illegal since 1845, party demonstrations have not been treated as such by the authorities; as they were, however, from their character, considered more likely than other assemblages to endanger the public peace, so more than ordinary precautions were taken by the authorities for the maintenance of order on such occasions, the responsibility of dealing with the processions being left to the magistrates, as it was impossible to provide by specific instructions for the various circumstances and contingencies under which the magistracy might be called upon to interfere. In 1845, the year that the Party Processions Act was allowed to expire, very few processions took place. They were discouraged very generally by the gentlemen who had influence with the Orange body. Lord Farnham, in an admirable letter, said—

> "I have on former occasions given them my advice to abstain from their annual processions, in obedience to the law of the land. Now that the 'Party Processions Act' has expired, I would still impress upon them the fact—and repeat my firm impression of its truth—that it is impossible for them to hold their processions without endangering the peace of the country, and putting themselves into a false position, at variance with their character as loyal Protestants—anxious, while they retain their principles unabated, to maintain the public peace, and to live on terms of good will and friendship with their neighbours."

The noble Earl opposite (the Earl of Roden) also exerted himself to the same effect, I believe in 1845. About that time the case of Mr. Watson occurred, who was dismissed from the deputy lieutenancy of the county of Antrim, as well as from the commission of the peace, for having taken the chair at a meeting where a resolution was passed for reorganising Orange lodges and Orange processions. On that occasion Mr. Lucas, who was then Under Secretary, wrote an excellent letter on the subject, and stated the principle on which the Lord Lieutenant acted—namely, that he could not reconcile the course taken by Mr. Watson at the meeting in Antrim with his duty as a deputy lieutenant and magistrate, as the proceedings at it had led to a serious affray, which led to the loss of life, and which in several respects tended to excite a breach of the peace: under such circumstances, his Excellency felt bound to deprive him as far as he could of any authority in the administration of justice; he had, therefore, given directions to remove him from the deputy lieutenancy: the Lord Chancellor also had under his consideration the propriety of removing him from the magistracy. I quote this case in order to show that the course which was pursued within the last few months by the Irish Government, and which my noble Friend has characterised in very strong terms as unjust, illegal, and unconstitutional, was the same course as that pursued by the Government of 1845, of which my noble Friend opposite (Lord Stanley) was a Member. In 1846, before the 17th of March, a memorial was sent to Lord Heytesbury by four magistrates of the county of Down, stating that a party of Ribandmen was about to march in procession, and that such march would be resisted, and that very great danger was apprehended both to the peace of the neighbourhood and the lives of Her Majesty's subjects. The Lord Lieutenant, in consequence of that memorial, adopted the necessary precautions, and no procession took place; but it appears that three out of the four magistrates who signed that memorial to Lord Heytesbury were on the bench at Castlewellan, in September last, and refused to take the information which was tendered to them against the Orangemen for marching exactly under similar circumstances of danger to the public peace as those described in the memorial, and after the serious affray had taken place. In 1847 there were a very few processions. In 1848, in consequence of the political excitement then prevailing, more than usual demonstrations of party feeling were to be expected. I can assure my noble Friend that there is nothing which he could say that I would not say with respect to the conduct of the whole Protestant party in assisting the Government to keep the peace in 1848, particularly in the province of Ulster, and in offering their services in any possible way that the Government desired. This, however, had nothing to do with the party processions. I knew that these demonstrations would take place; I knew that such processions, leading to a breach of the peace might occasion very great alarm; and I did take very unusual precautions with regard to them. I sent large reinforcements of military and upwards of 500 constabulary into the north; and I think that is a proof that I did not wish to encourage these processions. I knew that they were not *ipso facto* illegal, and I did not therefore forbid them altogether, but I took more than ordinary precautions that they should not lead to a breach of the peace; and as to the knowledge which existed of the circumstances which rendered such demonstrations illegal, I may mention that a magistrate of the county Donegal wrote to say, that the Orange procession having come armed, the magistrates, of whom there were six present, compelled them to leave their arms in a house by the wayside, before they marched further, it being their opinion that an armed procession was decidedly illegal. In 1848 an Orange procession assembled for the purpose of going over this disputed pass of Dolly's Brae; but, having heard that their passage would be disputed, Mr. Francis Beers interfered, and by his persuasion they took another route. Unfortunately, in 1849, Messrs. F. and W. Beers neglected that warning, and the good effects that had resulted from attention to it in the preceding year, and deliberately prearranged and sanctioned a passage over that old road, although they had 12 months' notice that it would probably lead to a breach of the peace; and they did so it appears because the Riband party had considered the not going over Dolly's Brae a triumph, and had celebrated it by a song. A great deal of party excitement having taken place in the winter of 1848, I sent down considerable reinforcements to the county of Down, and more particularly to those parts of the county where I understood that danger was to be apprehended. The peace was maintained; but at Crossgar a collision took place attended with the loss of two lives; and in consequence of previous outrages in the county not having been followed by the arrest of any of the parties, the resident magistrate was informed that those persons belonging to either party who offended against the law must be actively pursued, and, if possible, brought to trial. Some of these persons were in consequence arrested and committed, and a Queen's Counsel was sent down to conduct the prosecution. At the quarter-sessions of Newtonard, where they were tried, it was most clearly and distinctly laid down by the assistant barrister, that the procession of the 17th of March was illegal, as it tended to a breach of the peace; but nevertheless the jury acquitted the prisoners. Later, at the Hillsborough quarter-sessions, the law was again laid down in the same clear and explicit manner as to what constituted an illegal procession, and there the prisoners were convicted. Again, on the 10th of July the law was once more explained in the same clear manner, and the jury again found the prisoners guilty. I mention this because, those men having been arrested, three very distinct occasions had occurred of making known exactly what was the law with regard to these processions; and, as all these proceedings were published in the local newspapers, it was impossible that the legal opinion upon the subject should not be known. Matters stood thus at the commencement of July, and as I had reason to believe that numerous party demonstrations would take place, I sent down military and police to various parts of the country, and to the county of Down I sent seven sub-inspectors, seven head-constables, and 250 police. Several of the most experienced stipendiary magistrates were directed to repair to certain spots, and place themselves in communication with the local magistrates; and to prevent confusion the military were placed under their orders; and several of the best detective officers were sent into the neighbourhood to obtain private information as to the nature of the demonstration. In fact, my Lords, as I superintended all these arrangements myself, I can conscientiously say that no precaution which the Government could have taken beforehand for the preservation of the peace was neglected. But it is said, that the Government had abundant information of what was going to take place, and that these processions ought to have been stopped altogether. The fact, however, is, that the Government had no such special information. Towards the end of June, Sir D. M'Gregor, the inspector general of constabulary, wrote to all the inspectors, and other chief officers, of police in the north, desiring them to report what processions were expected, whether they were likely to lead to a breach of the peace, and what reinforcements would be required. The replies received were from the county inspectors, who said generally that there would be large processions, and that reinforcements would be required—for Sub-inspector Hill, who spoke of a breach of the peace being apprehended, as the procession was to go through a Roman Catholic district, to Tollymore-park; and accordingly an extra number of troops and police, together with a stipendiary magistrate, were sent to Castlewellan, but no mention was made of Dolly's Brae, the name even of which pass was unknown to any official person in Dublin; nor was it in the district of Mr. Hill, and the sub-inspector, in whose district it was, made no mention of the contemplated movement. My noble Friend alluded to Mr. Scott, a justice of the peace of the county of Down. On the 29th of June, he waited upon Mr. Redington, the Under Secretary, and expressed a fear that there would be a riot, but without any allusion to the pass of Dolly's Brae. Mr. Scott, however, was informed of the precautions that were about to be taken, and he went away perfectly satisfied. I think your Lordships will therefore see that every possible precaution was taken, and, as no special danger was apprehended, and all the information received was of a general character, there was no reason for departing from the usual course, or to give special instructions to the stipendiary magistrates, which would have hampered their discretion in dealing with circumstances as they arose. Those stipendiary magistrates were among the very best and most experienced of the body. Military—both cavalry and infantry—and police were at their disposal, which might easily be reinforced from Downpatrick, and elsewhere, if they thought it necessary; and it would have been impossible to issue a proclamation, or by other means, to prevent this particular procession, of the nature, extent, and objects, of which nothing was known. The same must have been done for all parts of the country where danger was apprehended, and reinforcements had been sent; it would have been an unusual practice, at the last moment, when the arrangements for processions had been made; it would have been certain to produce irritation and resistance, and probably have incurred the collisions it was intended to avert. In further proof that no special danger was apprehended, I may also mention that when Mr. Tabuteau the stipendiary magistrate reached Castlewellan on the 11th of July and placed himself in communication with Mr. Shaw, the local justice residing there, that gentleman expressed his surprise at the military police and stipendiary magistrate having come, and wondered who had applied for the force, although he must have then known that the procession was to go over Dolly's Brae; and that notwithstanding it had avoided the disputed pass the year before, he had thought it necessary to call out the military for the preservation of the peace. In consequence, however, of what he had learned in the neighbourhood, Mr. Tabuteau, on the 11th of July, waited on the noble Lord opposite (the Earl of Roden), and stated to him that he had received information that, if the procession went over Dolly's Brae, there would be a breach of the peace, and that it was his intention to take possession of the pass; but I believe the noble Earl did not think that any particular precautions were required. On the morning of the 12th, W. Fitzmaurice, the other stipendiary magistrate, together with Mr. Scott, went to Baleyward, the residence of Mr. F. Beers, and having learnt from the inspectors of police that a collision was to be apprehended at Dolly's Brae, represented to that magistrate the propriety of dissuading the Orangemen from going through the disputed pass; but in vain, as Mr. Beers disclaimed having any influence over them, and said, that no human power could prevent their proceeding by the old road. Under these circumstances, Captain Fitzmaurice did not think it prudent to interfere to prevent the procession. In this particular, I think he committed an error; still I think it a venial error, because, if he had proceeded in forcibly interfering with the procession in defiance of their leader, who was himself a magistrate, if any collision had taken place, the whole blame of that collision, the bloodshed, and all the evil consequences, would have been laid upon the officers of the Government; for it would have been said that the procession had passed off peaceably in other parts of the country, but it was in consequence of the unnecessary interference of the Government that the bloodshed had taken place. A large body of the Ribandmen were posted on the hill, but by the judicious arrangements of the police, no collision took place. The magistrates, however, were so convinced that it would be unsafe to return that way, that they despatched Captain Fitzmaurice to represent that to the noble Earl, and request his interference to induce the procession to return some other way. The object and result of his mission is stated in Mr. Berwick's report as follows:—

"Mr. Fitzmaurice proceeded at once to Tollymore-park, where he saw the Orange body arrive and pass in procession, with their arms and banners, in front of Lord Roden's mansion, where they were received by his Lordship, decorated with an Orange scarf, and accompanied by the members of his family and some friends, several of whom wore Orange ribands and badges; after which they proceeded to a field belonging to his Lordship, where a tent had been pitched, and a platform erected, and some provision made for their entertainment. Mr. Fitzmaurice was introduced to Lord Roden, and communicated to him the fact that an armed body was posted in the neighbourhood of the old road, and his dread of a collision on the return of the Orangemen, and begged that his Lordship would use his influence with the Orange party to return another way. He made the same communication to several of the apparent leaders of the Orange party. Lord Roden, in reply, informed him that he feared he had not himself sufficient influence to effect the object, but that he would speak to the party, and also to Mr. William Beers, on the subject. He did accordingly speak to Mr. William Beers; but, having been informed by that gentleman that, if any change were made in the route, a split might take place in the body, which would cause greater risk to the public peace, he was contented with this reason; and, although he saw that the Orange lodges which came from Castlewellan and Ballyward were armed, while those which came from some other quarters were not so, he did not, in the address which he delivered to the Orange body, make any reference to this subject. It appears, also, that Mr. William Beers never did himself make the slightest attempt to influence the Orange body to go home by the new road, but, on the contrary, advised them to return by the same way by which they had come; although he admitted, in his evidence before me, that it was possible the Orange body might have been induced to take his advice, if given, and go home by a different way."

Mr. Berwick goes on to say—

"No step was taken during the day to disperse this illegal body, nor was any attempt made to arrest their leaders. In explanation of this, the magistrates informed me that they thought it more prudent not then to attempt to disperse them, fearing that, if they resisted, lives might be lost; and even if they did not, that they would divide into straggling bodies, and thus more easily provoke a collision with the Orangemen, where the police or troops would be unable to interpose. The two Roman Catholic clergymen appear to have exerted themselves without effect to induce this body to return to their homes; and in the course of the day some bread was supplied to them by the Rev. Mr. Morgan, to hinder them, as he alleged, from going into the public-houses and becoming intoxicated. This body appears to have considerably increased during the day by the addition of a number of the inhabitants of the immediate neighbourhood, some of whom appear to have joined them from curiosity, and some who shut up their houses and came there, as they alleged, for protection. In the evening, the Orange party, having remained about two hours at Lord Roden's, did return, and took the old road through Dolly's Brae, and passed it in safety, and cheered after they passed. Nothing, however, occurred to excite alarm, except the taunts of a number of women collected on the roadside, who told them 'they were prisoners, and would catch it before they passed Magheramayo-hill. The Orange procession, some of whose members appear not to have been so peaceably conducted as in the morning, was preceded, as before, by a body of police, and the rear was also protected by another body of police, and by the Dragoons. On arriving at the point of the road immediately under the brow of Magheramayo-hill, where the opposing force was strongly intrenched, the police who were in front drew up along the side of the road, and stopped to allow the Orange procession to march past, which they did without interruption. Unfortunately, after the whole body had passed forward, and while the police were in the act of forming again to follow them, a squib or blank shot was fired, but from which party I am unable to say; several trustworthy witnesses having stated their belief that it came from the rear of the Orange party, and others equally credible having stated that it came from a place on the hill, about half-way between the Riband party there posted on the road. Almost immediately after this occurrence, two shots were fired; and, as contradictory evidence was offered to show from which party they came, I shall only say that the weight of the evidence appeared to me to favour the opinion that they were fired by two of the Riband party, posted on the hill, at the Orange body."

It will be found that—

"Immediately afterwards, a volley was discharged from the main body on the hill, which appeared to have been indiscriminately directed at police, military, and Orangemen, and the firing from both sides then became general. It was then deemed necessary, and I think wisely, to dislodge the body posted on the heights; and accordingly the police, under Mr. Hill, charged up to and gained the first entrenchment, firing as they ascended at the men who were placed behind it. Immediately after it was carried, the body there posted fled, and the police, who had fired in all only eighteen shots, ceased firing, and took a number of prisoners, among whom were five wounded. Several of the prisoners were found crouching, with arms beside them, behind the walls.

"In the meantime a body of 100 or 200 of the Orange party had dashed up the hill transversely towards the same quarter, firing shots at the retreating body on the hill, and the police were for some time in considerable danger, being placed between two fires; they, however, threw themselves between the two parties as soon as they could, and stopped the advance of the Orange party, and, in my opinion, prevented a very great loss of life, which must have occurred if the two parties had come to closer quarters. While this was going on above, I lament to say that the work of retaliation both on life and property by the Orange party was proceeding lower down the hill, and along the side of the road, in a most brutal and wanton manner, reflecting the deepest disgrace on all by whom it was perpetrated or encouraged. One little boy, ten years old, was deliberately fired at, and shot, while running across a field. Mr. Fitzmaurice stopped a man in the act of firing at a girl who was rushing from her father's house. An old woman of seventy was murdered, and the scull of an idiot was beaten in with the butts of their muskets."

[An expression of dissent from Lord STANLEY.] My noble Friend seems to doubt this; but Mr. Janns, sub-inspector of police, states, in his evidence, that the scull of the unfortunate Sweeny was beaten in with the butts of their muskets, and that corresponds with the account given before the coroner. Mr. Berwick goes on to say—

> "Another old woman was severely beaten in her house; while another, who was subsequently saved by the police, was much injured, and left in her house, which had been set on fire. An inoffensive man was taken out of his house, dragged to his garden, and stabbed to death, by three men with bayonets, in the sight of some of his family. The Roman Catholic chapel, the house of the Roman Catholic curate, and the National School-house, were fired into, and the windows broken, and a number of the surrounding houses of the Roman Catholic inhabitants were set on fire and burnt, every article of furniture having been first wantonly destroyed therein; and had it not been for the active interference of magistrates and the troops, much more loss of life and property would undoubtedly have taken place."

Mr. Berwick further adds—

> "Before I close this report I think it my duty to make some observations relative to the conduct of those to whose care the protection of the public peace on that day was entrusted, which appear to me necessary for your Excellency's information, and useful to prevent the future recurrence of such calamitous and disgraceful procerdings. And with respect to the police engaged on that day, I have only to say, that, considering the circumstances in which they were placed, they appear to have acted, in the discharge of their duty, with courage, coolness, and forbearance; and I conceive they were successful in preventing a great sacrifice of human life. But after the most anxious consideration which I can give to this case, believing, as I do, that the magistrates who took part in the transactions of that day could have adopted a line of conduct which would have prevented the outrages then perpetrated, and which the information they possessed ought to have suggested to their minds, I cannot avoid noticing the grievous error thus committed, where the consequences have been so formidable to the public peace. I entirely acquit them of any intentional disregard to the loss of life or property; and I feel persuaded that from the time the conflict commenced all present were engaged and instrumental in preventing outrage, and protecting, to the best of their power, both parties from injury. But in all their previous proceedings they appear to have acted under a great misunderstanding of the nature of their duties—some of them to such an extent as actually to give countenance and protection to persons engaged in proceedings at variance with the law."

And, my Lords, I can only repeat that party processions not being *ipso facto* illegal, but liable to become so, it must be left to the discretion of the magistrates to determine in what way and at what time it is necessary for them, as conservators of the public peace, to interfere for its maintenance; and, if a magistrate allows the peace to be endangered or disturbed, and, through want of firmness or error of judgment, fails to preserve it, that conduct should be dealt with as it appears to deserve, if he deliberately abstains from taking any part to prevent its being disturbed. But if he prearranges and sanctions a meeting which he knows must lead to danger, and afterwards, when that danger is pointed out, again does nothing to prevent it, I think no one can deny that such a magistrate is unworthy to remain in the commission of the peace. Your Lordships must well remember the painful sensation that was created in the country by the news of the fatal events at Dolly's Brae, and the various discussions they gave rise to in the House of Commons, which induced the noble Earl opposite to come from Ireland and to make a statement in this House. Public opinion was only pacified by the assurance which the Government gave, that a full inquiry should take place into all the circumstances of the case. I selected Mr. Berwick to conduct that inquiry, because he was a Queen's Counsel and assistant barrister of great experience, who had, during the space of fourteen years, conducted his business as assistant barrister to the entire satisfaction of the Government, the magistracy of the district, and the public at large. I knew, moreover, that he was by no means a party man, but a man of a thoroughly impartial mind, as well as of a most mild and conciliatory disposition; and, though my noble Friend has dealt most severely, and I must say most unjustly, by him, I am perfectly convinced that amongst the many eminent men now at the Irish bar, there is none who is better qualified to conduct such an inquiry as this that was intrusted to him in a more able and impartial manner. I believe I may say that he was considered, by persons on the spot at the time, to have conducted the inquiry in the fairest and ablest manner. One of the charges made by my noble Friend was, that Mr. Berwick had presumed to go to Castlewellan, and to offer his advice to the magistrates, and he expressed a desire to know why he had so gone. I will tell my noble Friend why, because he had learned that the magistrates of Castlewellan had complained, and loudly complained, that they had not had the opinion of the law advisers of the Crown as to the real legal view of the case. Upon that account Mr. Berwick interfered. On the 17th of July, five days after the occurrence at Dolly's Brae, and whilst the investigation was proceeding at Castlewellan, the magistrates directed their chairman, Mr. Shaw, to send up to the Government the following letter :—

"Castlewellan, July 17, 1849.

"At a petty session held at Castlewellan this day, ten magistrates being present, to inquire into certain transactions which took place in this neighbourhood on the 12th of July instant, it was determined to ask for the opinion of the law officers of the Crown, whether an assemblage of Orangemen amounting to 1,500 persons, partly armed with firearms, proceeding along the road decorated with ribands, is an illegal assemblage, and liable to have informations taken against such as can be identified as walking in it, although no particular act of violence can be proved against them. And, if the Crown should be of opinion that such procession is illegal, that they shall direct the police to take the necessary steps to make the persons known to have walked in the procession that passed Dolly's Brae on the last 12th of July, and which subsequently came into collision with an opposing party called Ribandmen, amenable to justice.

"George Shaw, J. P., Chairman."

The opinion of the Attorney General in answer to that was, "I have no doubt but that such a meeting is illegal." That opinion was sent to Mr. Shaw. On the 12th of September the following letter was received by the Lord Lieutenant from Mr. Quinn, a justice of the peace of the county of Down :—

"Dromore-house, County of Down,
September 12, 1849.

"My Lord—At the investigation which took place before the magistrates at Castlewellan on the 17th of July last, it was resolved to ask from the Crown an opinion as to the legality of Orange processions. In accordance with that resolution, a statement (of which I annex a copy) was drawn up by me in open court, and handed to Mr. Tabuteau, one of the stipendiary magistrates then present, for transmission to the Castle, when signed by the chairman, Mr. Shaw. At the special petty session held yesterday at Castlewellan, on an inquiry being made as to whether an answer had been received from the law adviser of the Crown, the petty sessions clerk of Castlewellan and Mr. Shaw, the former chairman, denied that any answer to that communication had ever been received by the bench. Now, I most respectfully beg leave to inquire whether any answer has been sent, and if sent its contents; and, if not yet forwarded, the reason of the delay, as it would have been of great importance to the inquiry yesterday.—I have, &c.

"John H. Quinn, J. P., County of Down."

Mr. Quinn was then informed that that letter had been answered upon the 21st of July; and his letter was sent to Mr. Shaw, with a request that he would communicate, for the information of his Excellency, any observations that he might have to make on the subject. To that communication Mr. Shaw replied —

"Castlewellan, Sept. 18, 1849.

"Sir—In reply to your letter I beg to state, for the information of his Excellency the Lord Lieutenant, that I had not the slightest recollection, at the meeting of the last bench of magistrates here, of the letter alluded to by Mr. Quinn as having been written, or of having received an answer. From some circumstances which have been since brought to my memory, I now recollect the answer having been received. What became of it I cannot state, but I think either Mr. Tabuteau or Captain Fitzmaurice got it.—I am, &c.

"George Shaw."

Mr. Redington then wrote to those two gentlemen requesting the information from them. Mr. Tabuteau answered—

"Waterford, September 27, 1849.

"In reply to your communication of the 26th inst., enclosing the copy of a correspondence with Mr. Shaw of Castlewellan, relative to an opinion of the Attorney General, addressed to him on the 21st of July last, I have the honour to say, that I have a distinct recollection of being handed that document to read while standing in the street of Catlewellan, and, after reading it, handing it back to the gentleman who gave it to me to read, and who, to the best of my recollection, was Mr. Shaw. I have not that document in my possession, nor had I it in my possession longer than it took me to read. I never saw it afterwards.

"J. Tabuteau."

Mr. Fitzmaurice writes—

"Roscrea, September 26, 1849.

"In reply to the annexed communication, I have the honour to state, for his Excellency's information, that I never even saw the document alluded to by Mr. Shaw. I merely heard that Mr. Shaw, as chairman of the meeting of magistrates held at Castlewellan on Saturday, the 14th of July last, had received the law adviser's opinion, that the procession of the 12th of July at Dolly's Brae was illegal. "G. Fitzmaurice, R.M."

Now, my Lords, I hope you will consider that that was a satisfactory reason—the magistrates having complained of being left in ignorance of the law, appealing to the Crown, and an answer having been given by the Crown, that answer being suppressed by the chairman—I say I hope you will consider that a reason why Mr. Berwick should state what the law was to the magistrates of Castlewellan. Lord Roden was chairman on that occasion, and although I am sure he must have thought himself properly exercising his functions, yet I cannot forbear saying that I regretted that he should have been present, or rather have taken the part he did on that occasion, for the question to be decided was one in which he was personally concerned—the question whether the assemblage was legal or illegal, was one which made the whole difference in his case, and to decide himself that it was not so, and possibly to lead others by the declaration of his opinions in no very measured language, to come to the same conclusion, in despite of the high legal and judicial opinions recently delivered upon the very case, was a course which, I think upon reflection, he must have regretted; because, if it were of general application, it would unquestionably destroy confidence in the impartial administration of justice by the magistracy. I am far from saying that he was bound to abide by the legal and judicial opinions I have adverted to. I should never cast blame on a magistrate for acting on his own unfettered judgment; he had the fullest right to do so, and I have lately stated this in answer to a memorial signed by 60,000 persons, asking for the dismissal of the magistrates who refused to take the informations at Castlewellan. But to sit in judgment upon what the public consider his own cause, is what a magistrate cannot do with safety to his own reputation.

My Lords, when Mr. Berwick's report came into my hands, it caused me the utmost regret, for I read it with the eyes and feelings of a friend; and most happy should I have been if I had found in it the materials for exonerating the noble Earl, but I could not. I communicated my opinion to my noble Friend at the head of Her Majesty's Government, from whom and his colleagues, including the noble Lord on the woolsack, it received the most anxious and careful consideration. The result was that they agreed with me on the necessity of superseding the noble Earl and the Messrs. Beer in the commission of the peace; and, my Lords, I am not ashamed of saying that it was the most painful act of my life. I had long been honoured with the friendship of the noble Earl. From the moment that I had gone to Ireland, until then, I had received from him the most unvarying and useful kindness. I felt the most sincere respect and personal esteem for him. I knew how much his dismissal would be resented by his numerous friends, and the unpopularity I should earn for myself even among those who were not his friends, throughout the north of Ireland. I felt and I foresaw all that; but still there was one feeling superior to every other—a feeling of duty; a feeling from which I did not venture to shrink, and by which I need not assure your Lordships I was alone actuated in the course that I adopted. Ever since the government of Ireland was confided to my care, my great object has been to render the law a reality—to inspire all classes of the community with confidence in the impartial administration of justice— to convince them that before the law all men were equal—and that, whether high or low, rich or poor, the same measure of justice should be meted out to all. I should then indeed have felt ashamed of myself, and unworthy the confidence of my Sovereign, if I had dealt differently with the noble Earl from any any other man; or if I had allowed for one moment my personal inclinations to interfere with what I believed to be just and necessary. I fear, my Lords, that the noble Earl is of opinion that other and improper motives influenced me, because I have perceived, in some of his answers to addresses, that besides characterising his dismissal in terms which to him no doubt appeared just, he has stated that his dismissal was a blow aimed at Protestantism in his person, and that all Protestants were in danger, as there was a conspiracy to overthrow their religion. Now, passing by the total want of proof of this either before or subsequent to the events of the 12th of July, and that I will defy any unprejudiced man to adduce the slightest evidence of any such conspiracy, I must assure the noble Earl that I yield to no man in my attachment to the Protestant religion, and that I am as incapable as himself not only of lending myself to any conspiracy, but to any act directly or indirectly militating against the true interests of the Protestant faith. But nothing can induce me to believe that the true interests of Protestantism, and the mild and pure doctrines of Christianity, are not endangered by assemblages that are meant to irritate, and by proceedings that must engender bitter and hostile and un-Christian feelings among those classes of our fellow-countrymen from whose creed we differ, but whose conscientious feelings we are bound to respect, and have no possible right to outrage. The question of religion or politics no more entered into my mind in deciding upon the case of the noble Earl, than if the occurrences which led to his dismissal had taken place in some sequestered village of England. The question simply was, whether the meeting was legal or illegal — did the magistrates do their duty, or fail in their duty—were sufficient precautions taken to prevent a fatal collision—and, if not, were they properly to be held responsible? That was the whole question; and I hope the noble Lord will dismiss from his mind the idea that I was influenced by any considerations of a different character. My noble Friend has taken great exception to the mode in which the inquiry was conducted by Mr. Berwick; and, first, with regard to the nature of this inquiry, if it were unconstitutional, as the noble Lord says, it has, at all events, had the sanction of practice in Ireland; and it has had the sanction not only of successive Governments but of successive Parliaments, because the evidence and the decisions taken and pronounced under such inquiries have constantly been made the subject of debate. I have got some of the cases in which inquiries have been made of a similar character. The following letter showed one instance:—

"Dublin Castle, Dec. 22, 1830.

"Sir—I am directed by the Lords Justices to inform you, that Louis Perrin, Esq., one of Her Majesty's counsel, has received directions forthwith to proceed to Lurgan, for the purpose of investigating into all the circumstances connected with the outrage which took place at Maghery on the 22nd ult. I am further to acquaint you that it is Mr. Perrin's intention to reach Lurgan on Monday next, on which day their Excellencies trust you will attend at Lurgan and render Mr. Perrin every assistance in your power in the investigation alluded to.—I have, &c.

"W. GREGORY.

"W. J. Hancock, Esq., Lurgan."

I find another letter, dated "Dublin Castle, April 4, 1832," signed by Sir W. Gossett, and addressed to Mr. Crampton, the Solicitor General:—

"Sir—I beg to send you, by command of the Lord Lieutenant, the several letters mentioned in the enclosed schedule relative to party riots which have occurred during the last month in the neighbourhood of Portglenone, and as it is deemed expedient that an investigation should take place, I am directed by his Excellency to request that you will proceed, at your earliest convenience, to Portglenone for that purpose, and report the result of your investigation for his Excellency's information."

If such inquiries are neither judicial, nor ministerial, nor constitutional, it was nevertheless true that these things had been done by my noble Friend (Lord Stanley), then the Secretary for Ireland. Again, instructions were given to Mr. Serjeant Howley, to make inquiry into certain matters relating to Lord Northland, and others, as well as the circumstances connected with riotous proceedings at the Dungarvon election. These inquiries have been authorised by successive Governments and Parliaments down to the present day; and with such precedents as these before me, on what possible ground could I have refused to act upon them, and so get rid of the promises which had been made to Parliament with reference to the public peace in Ireland? It would have been a mockery had I declined to take the steps necessary to enable me to fulfil the anticipations which Parliament was entitled to entertain. My noble Friend says I had no right to issue a commission of the peace to any person under the circumstances, giving him authority to examine on oath; and he quoted the opinion of a lawyer (which, however—the learned Gentleman speaking on the noble Lord's side—I do not reckon of authority), stating that a person taking an oath before Mr. Berwick could not be indicted for perjury. But knowing how the law stood, I made Mr. Berwick a magistrate for the county of Down; and he had as full power, and as good a right, to examine on oath as any other magistrate. My noble Friend alluded to the Act 5th and 6th William IV., c. 62. I beg your Lordships' attention to the 13th Section, which was cited as proving that Mr. Berwick had no right as a magistrate to tender an oath. The section says—

"And whereas a practice has prevailed of administering and receiving oaths and affidavits voluntarily taken and made in matters not the subject of any judicial inquiry, nor in anywise pending, or at issue before the justice of the peace, or other person by whom such oaths or affidavits have been administered or received; and whereas doubts have arisen whether or not such proceeding is illegal; for the more effectual suppression of such practice and removing such doubts, be it enacted, that from and after the commencement of this Act it shall not be lawful for any justice of the peace, or other person, to administer, or cause or allow to be administered, or to receive, or cause or allow to be received any oath, affidavit, or solemn affirmation touching any matter or thing whereof such justice or other person hath not jurisdiction or cognisance by some statute in force at the time being."

On that passage my noble Friend relies when he argues that Mr. Berwick, having no jurisdiction, had no right to put parties on oath. But there the noble Lord stopped short, and gave your Lordships to understand that the law was as he had quoted it; now the clause goes on to state an important provision:—

"Provided always, that nothing herein contained shall be construed to extend to any oath affidavit, or solemn affirmation before any justice in any matter or thing touching the preservation of the peace, or the prosecution, trial, or punishment of offences, or touching any proceedings before either of the Houses of Parliament."

But this is not all. Mr. Berwick, like any other magistrate, was in possession of the commission of the peace; and your Lordships will judge whether under that commission Mr. Berwick had not authority. Amongst various other things, it authorises parties to inquire—

> "of those who presume, by unlawful assemblies, to be disturbers of our peace, and of our people within our said county; and, also, of all those who, in the county aforesaid, have either gone or ridden, or that hereafter shall presume to go or ride, in companies, with armed force against our peace, to the disturbance of our peace; and, also, of all those who, in like manner, have lain in wait, or hereafter shall presume to lie in wait, to maim or kill our people."

The terms of his commission, therefore, most certainly conferred on Mr. Berwick the right to hold such an inquiry. My noble Friend dwelt with great severity, with great injustice, I think, on the manner in which Mr. Berwick conducted the inquiry. But I should wish to advert, first, to what my noble Friend states as to the Lord Chancellor not being consulted. I should scarcely have thought my noble Friend would have occupied the time of the House so much upon what he must know is a mere form; and, if he were correct in point of fact, I do not admit that he is right in the principle he lays down. First, it is my duty to institute inquiry. Having received a report and the evidence, and finding that the conduct of certain magistrates is inculpated, I send that report, with my opinion, to the Lord Chancellor. And what is it that I do? Do I instruct? Do I order? No, my Lords, I recommend. It remained for him to act on that recommendation; he might have refused. The first thing I did on receiving the report was to have it sent wholly to the Lord Chancellor, without telling him what was the opinion I had formed. I found that he had come to the same conclusion with myself. We then conferred on the matter, even before I communicated with my noble Friend at the head of the Government; and when blame is imputed to the Lord Chancellor for sending off the intimation of his resolution in the matter only a day or two after it was put formally into his hands, the real state of the case, I must observe, was, that no time was necessary for him, his mind having been made up. But I have received a letter from the Lord Chancellor, in which he says—

> "I have heard that it is to be alleged or suggested, in the approaching discussion respecting the dismissal of Lord Roden and the Messrs. Beers from the commission of the peace, that from the terms of my letter announcing to them my determination to supersede them, it is to be inferred that I acted under a supposed necessity of conforming to your recommendation without reference to my own opinion on the subject. I could not have imagined that any such mistake was entertained as that I would take so decided a step against my own judgment, or without applying it to the consideration of the case. Having been, from the first, thoroughly acquainted with the grounds and reasons on which you acted; and, entirely concurring in them, I did not require any time to deliberate on the course I should pursue; and I thought, that in the way I acted, I fully indicated that concurrence; but, to prevent any misconstruction on the subject, I have no difficulty in stating that I regard the act of dismissal of Lord Roden and the Messrs. Beers as my own, and on which I consider myself as the person directly responsible; and of the propriety of which, on the grounds stated in Mr. Redington's letter, I had not at the time, nor have I now, the slightest doubt."

I hope, therefore, that I have relieved my noble Friend from the anxiety he has suffered respecting the independence of the Lord Chancellors, and the coercion under which he acted. Reverting to the charges made against Mr. Berwick, I have been informed by Mr. Berwick that he proceeded in the same way as in other cases, except that he had taken more than special pains to note down everything which could be supposed to have a bearing on the matter, more particularly as it related to the conduct of the magistrates, and had carefully re-examined the whole case before making his report. My noble Friend has given your Lordships to understand that Mr. Berwick's notes were not full and complete; but they were quite as full and complete as those of a judge, which are always considered sufficient guides in a matter that may require after-consideration relating to a case that had been decided. They are not so full as the report of a shorthand writer, which contains not only the examination in chief, but the cross-examinations, minutely detailed. The question, however, really is, whether the judge has with sufficient fulness and perfect impartiality taken down all the necessary evidence for coming to an impartial decision; and my firm conviction is, that Mr. Berwick has done so. My noble Friend rather forestalled me when he said that no objection could be taken to a report which appeared in the *Newry Telegraph*, because Mr. Berwick has relied on that paper in another matter, namely, the report of a speech delivered by Mr. Beers. This *Newry Telegraph* is one of the most unscrupulous partisan papers in Ireland;

and that is saying a great deal. It was to be expected that it would give correctly the speech of the Grand Master of the Orange Lodge. If I wanted to look for a speech of Mr. Beers I should refer to that journal; but it does not follow that I should equally rely on its authority in a matter where his friends were concerned, and their conduct the subject of grave inquiry. Mr. Berwick has examined the report given by that paper, and found in it omissions, and a garbling of evidence, palpably wilful; but my noble Friend says it was verified on oath in the Queen's Bench, and that the reporter affirmed on oath that it was all correctly taken down by himself; but listen to a letter which has been put into my hand three or four days ago. It is from the reporter of another paper, the *Banner of Ulster*, and is addressed to Mr. Conway, proprietor of the *Dublin Evening Post*, a gentleman against whom the action was brought in the Queen's Bench:—

> "Dear Sir—A friend of mine has just pointed out to me an article in the *Dublin Herald* of last Thursday, in which strong praise is accorded to a report of evidence taken before Mr. Berwick, at Castlewellan, which report is stated to have been 'before the public for months,' to have 'passed the ordeal of the Queen's Bench unscathed,' and 'to be authenticated by the solemn oath of the reporter,' which latter person is again described as having been 'impartially industrious.' The two last phrases attracted my special attention, and I beg leave to draw your notice to the following fact in connexion therewith. On the day on which the Government inquiry was resumed at Castlewellan, no reporter from the *Telegraph* office took any notes at all. The report of that day's proceedings was furnished, as an abstract, by me in the first place, and afterwards falsified—then published. I received the usual fee from the *Telegraph* reporter for the matter so furnished, and the other reporters present know as well as I do that throughout the entire day's proceedings the party in question never wrote a line. If anybody has sworn to a report of that day's business, he must have sworn falsely, inasmuch as I am in a position to prove that no person took full notes of it but myself."

Now, my Lords, I will beg to ask what reliance is to be placed on the oath of a man who not only did not take the evidence he swore he did, but who actually falsified the evidence he bought But this is not all. Mr. Berwick having heard there were some doubts thrown on his notes in consequence of a comparison with the report of this "impartial" and "industrious" gentleman, sent this evidence to Mr. Ruthven, Sessional Crown Solicitor, and received an answer yesterday, in which Mr. Ruthven, who had taken a full report in shorthand of all the proceedings, says—

> "Your note I have received, but hope, ere this, you have received per last night's mail my parcel, containing the notes of evidence, and with it a copy of the Orange report, noted by me so far as I had time to do so, since I got your first note on the subject. It only requires a careful examination and comparison with my report to fully point out the continuous mistakes and errors of the report relied on by the Orange party—suppression of evidence at times by wholesale. If I had got time I would have gone through the whole, and noted it; I would not have left them a line to rest on. If it ever comes to proof, then will be seen who is right; for my part, I am not afraid. My report I can prove, and I think your note will show it also. The report relied upon by the Orange party, if it comes to that, their own reporter cannot prove, and well they know it. Whenever it comes to that, I'll then state further facts, with which I shall not trouble you at this moment."

This affidavit, was, therefore, in perfect keeping with all the other brought forward on that most discreditable trial; and they were characterised by Chief Justice Blackburne, one of the most distinguished judges who ever adorned the bench, in the following terms:—

> "I must say they (the newspaper articles) have been brought forward by the affidavits offered to the court in a most garbled and imperfect manner, and many of them are really not the comments of the editor, but the expression of opinion growing out of this murderous and terrible outrage, having no manner of relation to the charge against Mr. Jardine. These passages have no distinct reference to Mr. Jardine, and could not prejudge his case; they have reference, in the shape of comment, to the nature, character, and circumstances of one of the most barbarous and outrageous transactions which has ever disgraced our country."

I feel it is unnecessary for me to add another word, or even to ask your Lordships to dismiss from your minds any impression that may have been made upon you with reference to the report from which he has so largely quoted. And yet it is upon evidence such as this that accusations are brought against a gentleman unimpeachable in conduct, a man of high judicial character, who, being invested with the character of a judge, was yet charged on such testimony with garbling and suppression—a charge which, if proved, would not only exclude Mr. Berwick from the bench, but would drive him for ever from the society of honest men. Before I sit down, I hope your Lordships will extend to me your indulgence on a matter which, though personal to myself, is not altogether without public importance; because, I fully admit, as the noble Lord said, that the characters of public men are to be placed under the control of public opinion, and the public are interested in knowing whether men in high positions have rightly exercised their powers, and warranted the confidence placed in them; or whether accusations brought against them are or are not well founded. As I have been brought over here this evening, the opportunity is afforded me of alluding to certain misrepresentations, for the refutation of which, under other circumstances, I should have relied on my own character, and the consciousness that, to the best of my ability, I have performed the arduous duties with which I have been intrusted for the space of now nearly three years. Ever since the dismissal of the noble Earl, I have been exposed to calumnies in every variety of form—some promulgated in Ireland, some in this country. But those professional libellers I treat with the contempt they deserve. There is one document, however, to which I do think I am entitled to direct the attention of your Lordships, because it is signed by a Member of your Lordships' House, whom I now see before me (the Earl of Enniskillen); and the object of that document avowedly was to expose my unfitness for the office I held, and to prove that I had done acts unworthy of a gentleman. The document is made up of scraps of letters and reports of conversations; and the principal charges against me are founded on the sayings and doings of two gentlemen, one of whom is dead, and the other is now in India. It was said, that in the hour of peril I had courted the Orange party of Dublin, and basely deserted them when I no longer required their aid; and that I gave them arms exclusively when I was refusing arms to all other classes in Ireland. Now, instead of my having courted them, I knew nothing of the Orangemen of Dublin, but that a certain party existed under that name, till the 13th of March, 1848, when I received a copy of a very proper and loyal address from persons connected with the Orange party in Dublin, saying—

"We beg leave to approach your Excellency as the representative of our Sovereign with sincere offers of unpurchasable loyalty and devotion to Her Protestant person and house, and we pledge ourselves (in case of our services being required) at the present crisis to aid and assist the authorities in the lawful execution of their duties, and for the suppression of anarchy and revolution."

That was about three weeks after the revolution broke out in Paris — when political clubs and war committees were springing up every day in Dublin, where two or three associations existed, and the most seditious language was used — when every newspaper was daily teaching the people how to massacre the troops, and set fire to towns, and erect barricades —a time when every day brought over intelligence of new casualties and violent changes on the Continent; and there was no reason to expect that the capital of Ireland would have escaped the revolutionary contagion. At such a time, I should have been very much failing in my duty if I had allowed the political or religious tenets of any persons, who voluntarily came forward in defence of public order, to interfere with the measures which the emergency of the times might demand. It was my duty to accept all offers, without reference to religious or political feeling, which were made by all classes who were prepared to rally round the Throne and the institutions of the country. And, as a matter of course, I should have received that address. But my attention was called to certain resolutions passed the same evening the address was adopted:—

"Resolved—That in the opinion of this meeting the present disorganised and deplorable state of Ireland can only be attributed to the base policy of statesmen who have treacherously betrayed the trust confided to them by Protestants, in granting unjustifiable concessions to Popery, and that no attempt to remedy existing evils will be successful until the Romish Emancipation Bill, the Maynooth Endowment Bill, and all such measures, are entirely repealed, and the constitution restored to its original integrity. Resolved—That we are of opinion, and are assisted in that opinion by the speech of a Papist nobleman in Parliament, that Popery is the same as it ever was, and is unchanged and unchangeable; and that all bulls, &c., ever ordered by the Court of Rome for the extirpation and extermination of Protestants are still in force, if the opportunity occurred of using them. Resolved—That when we know a bull to be in force which calls our Queen a heretic, and would reward an assassin for murder, we must consider it most disloyal and unconstitutional of Her Majesty's Ministers to seek to establish diplomatic relations with her deadliest enemies."

As I considered the resolutions inseparably connected with the address, I took means for informing the Orangemen that unless these resolutions, so properly offensive to our Roman Catholic fellow-countrymen, were withdrawn, the address could not be received. They were not; and the address has been neither received nor answered to this day: so much for my courtship. At the same time a request was made, in order, it should seem, that these men of "unpurchasable loyalty" might test my trustworthiness, for arms or money to purchase arms; and it may be said that these were the only people who at that moment of general peril tried to turn their loyalty to account, because they requested me to receive their address or give them arms. Subsequently the noble Earl (the Earl of Enniskillen) applied to me, both as to receiving the address and furnishing arms; and though he himself stated in his manifesto that he met with no success, yet, because on the next day Captain Kennedy furnished money for the purchase of arms, the noble Earl did not think it beneath him to affix his signature to a document implying that the money must have come from me, and that I was doing, in a mean and underhand way, that which I had myself told him I thought would be wrong, and which I, therefore, did not dare avow openly. I knew nothing about the money, nor did I know, until a few days ago, whether it was Captain Kennedy's own, or the result of a subscription that had been set on foot, or had been furnished from any other quarter. All I knew was that it did not come from the Government; and I hope it is sufficient for me to give my solemn assurance that during the whole time I have held office I never, directly or indirectly, have given a weapon, or a shilling to purchase one, to any person in Ireland. Captain Kennedy, who was stated to have been employed by me, held no employment whatever under the Government, but was agent for the Devon estate, and had volunteered his services as an experienced engineer officer to organise the well-affected inhabitants of Dublin, and to make preparation for defending certain parts of the city, because I had given notice that in the event of an insurrection, that the troops should not be scattered about, and it was for the citizens to take some means for the protection of their own lives and property. The year after, it appears Captain Kennedy had given to the Horse Guards his plan for the defence of Dublin; and among the documents was a letter to Sir E. Blakeney, dated August 6, 1848, which I had never seen before, nor did I know of the existence of such a letter until it was placed in my hands a few days ago:—

> "In considering this portion of the subject, it must be admitted that the policy of Government in delaying to arm to some extent the loyal party in Ireland, has originated in the most humane and philanthropic motives, however hazardous this course may have been to the peace and safety of the country, and however trying to the loyalty of both the military and civil forces. The strict adherence to this policy cost me 600*l.* for the purchase of arms to keep our unruly adherents in good humour, and to prevent their placing themselves in hostility to the Government at the most critical period of our difficulties."

This is not all. Within the last three or four days I have heard from Dr. Kennedy, the eminent physician of Dublin, that by the last India mail a letter had been received by him from his brother Major Kennedy, dated "Head-quarters, Camp, Lahore, Dec. 22, 1849," written on learning that the matter which occurred in the spring, 1848, had been made a subject of public discussion. He says—

> "I have not had time to read your letters through, but amongst other things I see those villanous partisans of all shades, I suppose, are scolding at me in Ireland for the best act in my life—the having sacrificed 600*l.* to prevent the Orangemen throwing Dublin, and with it every part of Ireland, into a deluge of blood. Their wretched abuse is sweet music to my ear. I have not read it yet, but I shall not feel anything but compassion when I do."

Now, my Lords, I hope it will be considered that this question of the 600*l.*, and my arming the Orangemen of Dublin, has been effectually disposed of. It may appear to some incredible that such a private sacrifice should be made by Captain Kennedy for a public purpose, but those who know his disinterested and enthusiastic character will have no doubt of it; and although I am not intimately acquainted with him, I do know of various great sacrifices that he has made: he quitted his profession, in which he had greatly distinguished himself, and, I believe, held some lucrative employment, and lived during fourteen years in the mountains of Donegal, devoting himself to the improvement of the country, hoping for no other reward than that of doing good. What he says is perfectly true: my refusal to give arms did anger and dispirit many of the loyal and well-disposed subjects of Her Majesty in Ireland. I was pressed to it by deputations, by individuals for whom I had the highest respect, and by every kind of threat and entreaty: it was the general desire at that time, and not unnaturally, for alarm was general and well-founded. I believe, also, that the Government was blamed in this House for not consenting to call out the yeomanry; but as my noble Friend at the head of Her Majesty's Government left these matters to my decision, holding me responsible for the peace of the country, I resolutely refused all applications, though I took care to place upwards of 100,000 stand of arms in different depôts throughout the country, ready for distribution to the well-affected in the event of emergency according to certain regulations; but it was my duty to look beyond the actual moment, and I knew that if one class of Irishmen were armed against another, the seeds of fresh religious animosity would be sown, and that when the revolutionary movement was over, Ireland would be found further off than ever from internal tranquillity. In the result I was not disappointed; for the intended rebellion was suppressed, the law was vindicated, no blood was spilled, no rancorous feelings were left behind; Her Majesty was, for the first time since her accession, able to visit that portion of Her dominions; and had it not been for that one particular procession and its fatal consequences in the county Down, your Lordships would now have the satisfaction of knowing that Ireland was more free from sectarian feuds, as I am happy to say it is from political agitation and agrarian outrage, than at any time during the last twenty years. On public grounds, I regret that my noble Friend has seen fit to bring this question before the House, as it will tend to revive the angry feelings which were gradually subsiding; but as I trust your Lordships will give your assent to a Bill which is now before the other House for putting an end to all processions —a Bill, I beg to say, which is directed against no particular party, and will be a triumph to none; I look forward to the extinction of these foolish and irritating demonstrations, aided as the law will be by the efforts of every well-thinking man in Ireland. After all that unfortunate country has gone through, after years of agitation destructive alike of industrial progress and social improvement, after having endured a calamity unparalleled for its appalling magnitude and duration, the great want of Ireland is repose. A famine of four years sweeping away the resources and means of the country must leave sad traces behind; but I humbly hope that the visitation of Providence has ceased, that the worst is now over, and that an earnest union of all classes for their own common good will lead to that social regeneration with which the interests of this country no less than those of Ireland are inseparably connected.

The EARL of RODEN said, he had been most anxious to have an opportunity of answering those calumnious aspersions that had been cast upon his character with regard to the occurrence that took place in the north of Ireland in July last. Before proceeding to address their Lordships, he begged to return his most sincere thanks to the noble Lord behind him (Lord Stanley), for having given him that opportunity of addressing the House on the subject; and as that noble Lord had entered so ably and so fully into the many points connected with the occurrence, it had become unnecessary that he should detain their Lordships at any length with the observations he had to make. He could not but think that he had been most harshly used by the noble Lords opposite, and by the Members of Her Majesty's Government, and in particular by the Lord Lieutenant of Ireland, whom he saw opposite. He trusted, at all events, that he would do him the credit to believe in taking the course which he had pursued in reference to many of the acts connected with that occurrence, his only intent in doing so was to defend his character from the aspersions that had been cast upon it, and that he was actuated now by no party feeling, or feeling of irritation, towards him—an individual whom he had always esteemed as a friend, and to whom he had had reason to be thankful for many kind acts. The first thing to which he begged to call the attention of their Lordships was, that on the 23rd of July, eleven days after the occurrence in the north of Ireland, he had written to the noble Lord, stating his sincere regret and grief at the circumstances which had taken place, and also offering to tender his resignation as a magistrate in case his remaining in office should occasion any difficulties to the Government. At the same time he had stated, before making that offer, that he thought his resignation would be construed as a triumph to the opposite party. In answer, he had received from the noble Lord a most courteous and kind reply, stating that his removal from the magistracy had never entered into his head, and that he did not desire him to sacrifice himself to the difficulties of the Government. Until the 7th of October, he did not receive anything from the Lord Lieutenant, or from any other officer whatever; but on that morning he received a letter from the Lord Chancellor, which had been read by the noble Lord, accompanied by a public document, purporting to be a report of proceedings taken by the instructions of the Lord Chancellor. At the same time a private note reached him from the Lord Lieutenant, expressing his sorrow at being obliged to authorise the letter of the Lord Chancellor, but assuring him confidentially that his opinion of him was in no way altered from what it always had been. A letter, however, was put in the newspapers, a letter from Mr. Redington, the letter of which he complained, containing most serious charges, affecting his character as man and a magistrate. The three charges which it contained were—first, that he had aided and abetted an illegal meeting; second, that he had not used his exertions as a magistrate to prevent the effusion of blood by his fellow-subjects; and, third, that he had acted as a magistrate in his own case for the purpose of preventing the ends of justice. These were charges under which he could not rest satisfied, and, indeed, his wonder was, that under charges such as these he should be permitted to address their Lordships at that table, instead of being a prisoner and at their Lordships' bar, awaiting the verdict they should see fit to pronounce upon him. Contrary to all the principles of justice known in this country, he had been found guilty without a trial. It was true that in the letter he had referred to, it was asserted that he had been publicly arraigned; but, he now asked, where, and by whom?—for he found nothing for it but an assertion, and he had looked in vain for the evidence. The noble Lord knew that he had always received his support whenever it was of consequence to the interests of the country. In 1848 Ireland was in a serious and awful position, Rebellion had spread among the people, and the troops were increased to 40,000. At that period he had thought it his duty, with the loyal men who were prepared to follow him, to give the Government his support, and to rally round the Throne. This was near the 12th of July, the day when these men assembled to celebrate their anniversary; and with a feeling of loyalty and attachment to Her Majesty's Government, which he was sure could not but receive the approbation of those in authority, in spite of many and great inducements held out to them, these men withdrew from the Repealers, and the consequence was that the military of Ulster could be removed to the disturbed parts, and that trivial revolution was suppressed. In the month of March, 1849, another procession took place, at which the same happy results did not turn up as in the previous year. At that period he had put himself in communication with the noble Lord, stating to him the circumstances which had occurred, and the endeavours which he had used to prevent collision between the parties, and he received the thanks of the noble Lord for these endeavours. At that time the Government had in contemplation the passing of the Procession Act, and in the month of May he had had communications with the noble Lord respecting it. He regretted extremely that that Act had not been passed soon after March, but the press of business before the House made it quite impossible. In the month of May the noble Lord wrote to him about the Procession Act, and he had written in answer, stating that, in his opinion, it was then too late to introduce the Bill, as it would not pass till immediately before the 12th of July, and that it would then appear to have been passed especially against the Orangemen—a most ungracious course of proceeding after what had occurred the previous year. The noble and learned Lord opposite (Lord Campbell) would remember that he had a conversation with him relative to that Act, and that he was only stating to the House the substance of what took place. On the 29th of June, he had an interview with the noble Lord, when he again told him that it was intended the procession should take place, and the noble Lord said that there would be no danger, as the necessary precautions should be taken. He certainly had no idea from any thing which fell from the noble Lord on that occasion that the procession was considered by him to be illegal. In fact, so little did the noble Lord lead him to think that he considered the procession illegal, or that by taking any part in it he (the Earl of Roden) would be in any way abetting an illegal act, that immediately after the procession had left his demesne, it being then nearly post hour, he wrote a letter to the noble Lord, stating how satisfactorily everything had gone on, and, by return of post, he received an answer from the noble Lord, stating how rejoiced he was to hear what he (the Earl of Roden) had mentioned, and how grateful he was to him for the course he had pursued. The 12th of July arrived, and he certainly would say that he felt pride and satisfaction in receiving 3,000 of his countrymen, with their wives and children, besides some 2,000 others who had come as lookers on, and who had come to compliment him by their visit. On that occasion, he had an interview with Mr. Fitzmaurice, the stipendiary magistrate, who expressed a hope that he (the Earl of Roden) would use his influence with the processionists, in order to induce them to go home by another road, as he had seen armed men on the hill as he came along. He at once consulted another magistrate who was present, and he said that such advice would be unwise, as the procession would be split in consequence of it. He knew the meaning that was intended to be conveyed by the expression—that some of the party would go by one road, and some the other, and that either party thus weakened would be exposed to be attacked. Therefore, influenced by a desire for the safety of the people, he gave them the best advice in his power. That advice was before their Lordships, and he need not refer further to it; but this he would say, that the brave and determined men to whom he had spoken would have acted on that advice and have gone peaceably to their homes, had they not been basely, cowardly, and brutally attacked, with their wives and children, by conspirators, hiding behind the houses and walls. It was when they were fired at, and when they were defending their wives and children, that these unhappy occurrences took place, which every one must regret. With regard to the boy to whose death allusion had been made, there could be no doubt that the shot by which he fell had been fired from the hill, as he was at the time in the tail of the procession which he had been accompanying all day.

The Earl of CLARENDON said, he had quoted the evidence, where it was distinctly stated that the boy's scull had been battered in by blunt instruments.

The Earl of RODEN continued to say that it was true the boy's head had been broken in, but then two troops of cavalry had passed over the road where he was lying, and the battering could be accounted for in that way. Believing that the evidence on which he was disposed to rely might be questioned by the noble Lord opposite, he had taken the precaution to write to the witnesses who had been examined. The persons to whom he had made application, had no interest in the matter one way or the other, as they were officers of Her Majesty's Army. Having drawn their attention to both reports, he asked them to state which they thought most correct, and this was Major Wilkinson's reply:—

"Belfast, Feb. 14.

"My Lord—I have the honour to state, in reply to your Lordship's note, that I consider the report of my evidence, as taken in shorthand, as giving a much fuller report of my evidence.—Yours, &c.

"J. Wilkinson, Major 13th Regiment."

"Castlewellan, Feb. 15.

"My Lord—I have carefully read over the reports of my evidence taken at the investigation last year. I think that Mr. Berwick has left out two or three material points which are reported in the shorthand writer's one, and therefore of the two I should recommend it as best.—I have the honour to be, my Lord, your obedient humble servant,

"Wm. Parker Terry, Ensign 9th Foot.
"Viscount Jocelyn."

"Castlewellan.

"My dear Lord—I have carefully read over the notes of Mr. Berwick's minutes of the evidence given by me relative to the affray at Maghermayò, on the 12th July, and comparing it with the report of the same, taken by the shorthand writer, and published by Mr. Henderson, I am clearly of opinion that the latter is the most correct, and the fullest of the two.—I have the honour to be, yours very faithfully,

"George Shaw, J.P."

"Rathfriland, Feb. 15.

"Dear Sir—I shall feel much obliged by your informing Lord Jocelyn that I consider my evidence, as reported by Mr. Berwick's notes, neither full, clear, nor correct; and I am satisfied it is given as fully and fairly as possible in the pamphlet published in Newry. I was from home, and did not return until after post hour yesterday, or I would have written last night.—I remain, dear sir, yours truly,

"Thomas Scott, J.P., County Down.
"To John Reilly, Esq."

But the next charge made against him was of a very serious nature indeed. It was, that he was careless or indifferent with regard to the preservation of the public peace. The following was the portion of the charge to which he referred. It was from Sir Thomas Redington's letter to the Lord Chancellor:—

"On the arrival of the Orange procession at Tolmore-park they were received by Lord Roden, who, joined by the two Messrs. Beers, proceeded to his house, while the procession marched past to a field, where a tent and platform had been erected, and refreshment provided for the body by his Lordship. Thither Mr. Fitzmaurice, the stipendiary magistrate, had also repaired, to represent to Lord Roden, on the part of the magistrates who were then assembled on the hill (who all agreed that it would be dangerous to allow the Orange party to come back by the same road), that an armed Ribbon party was stationed near Dolly's Brae; and that if the procession returned by that way a collision was seriously to be apprehended. Lord Roden in reply stated, that he feared he had not himself sufficient influence to effect this object, but that he would speak to the party, and also to Mr. William Beers, upon the subject. In the address, however, which he subsequently delivered to the Orange body, he abstained from any attempt to dissuade them from returning by a route, the passage along which, he had been apprised, would be attended with so much risk. The Lord Lieutenant cannot but feel that those who sanctioned this course being taken, or who took no steps to prevent it, showed themselves most indifferent to the preservation of the public peace, which, as magistrates, it was their special duty to maintain."

Now, in answer to that statement, he must say, that he had throughout the whole of these transactions shown himself most anxious for the preservation of the public peace, and that his not asking the party to return by the other road was in itself one of the strongest proofs that he could have given of his anxiety for the public safety. With regard to the objection made against him for attending at sessions after these charges had been brought forward, he had only to say that, had he abstained from attending the sessions, as he had always been in the habit of doing, it would have to some extent implied that he acknowledged the justice of the allegations made against him. At the same time, when the forty-two men were brought up, charged by the Crown solicitor with being engaged in an illegal assembly, he felt that the assembly could not have been illegal, or else that the noble Lord would have told him so. Therefore he could not in conscience consent to receive informations against them on such a charge; but at the same time he had gone to that session, as he had always done, with a determination to do justice to every man—he had no feeling in favour of one more than of another; and if he had been asked to receive informations against any of those who had committed any of the outrages that had taken place, he would willingly have done so. He felt also that the ends of justice could be by no means compromised by the course which he felt it his duty to take, as Mr. Berwick and other magistrates were present who did not concur in his views, and by whom the informations might have been received. It was certainly very extraordinary, that though he and those who concurred with him had been thus pressed to receive informations against their friends, still that two sessions had been since allowed to pass over without the informations having been yet taken. Allusion had been made to a letter that had been written with a view of seeking to prevent a near relative of his from accompanying Her Majesty as lady-in-waiting on Her Majesty's visit to Ireland. It was manifest what the feelings of the writer towards him were; and the object was clearly to seek to degrade him in the eyes of his countrymen, by making it appear that Her Majesty had such a strong feeling with regard to the course which he had pursued, that She could not allow one connected with him to remain near Her person. Personally he had no motive to serve by remaining in the commission of the peace. His sole desire, as a resident proprietor and magistrate in Ireland, had been to seek by all means in his power to benefit the country, and to dispense justice to all classes and all denominations alike. He cared not where his words went forth, or who might listen to the statement which he now made; but he would fearlessly assert that, throughout his whole career as a magistrate, he had never favoured one party more than another; that he had always done justice to the best of his ability, and had never, in the dispensation of it, allowed himself to be influenced by any considerations, religious, political, or personal. In conclusion, he had only to refer, which he did with pride, to the expression of feeling which the treatment he had received from Her Majesty's Government had called forth throughout the country. Not only those who knew him personally, but those who were only acquainted with him by the character which he bore, and by the reports of the treatment which he had received, came forward to subscribe their names to most generous and affectionate addresses that poured in upon him from every portion of the empire. The noble Earl concluded by stating that he had never, at any period, entertained feelings of personal hostility or pique towards the noble Earl the Lord Lieutenant of Ireland.

The EARL of CLARENDON, in explanation, said, it was true, as his noble Friend had stated, that he had written him a letter saying, that as it was evident that certain parties were determined to drive him from the magistracy, he trusted that he (the Earl of Clarendon) would not allow himself to be embarrassed, but, if he considered it proper, would remove him at once; and it had never crossed his mind to turn his noble Friend out of the magistracy to relieve himself of embarrassment. With respect to the delay in the bringing in of the Processions Act last year, it was delayed in consequence of the pressure of other business, and of Irish business in particular, and had been afterwards postponed on the representation of his noble Friend; but at the time it was so postponed he asked his noble Friend what security he would give that the public peace should not be disturbed on the 12th of July, and his noble Friend answered him, that every loyal man was willing to exert himself to the utmost to preserve peace. He then expressed his very great objection to the Orange procession, not because he considered it illegal, but he regretted that such a procession should go to Tollymore Park, as there rested a peculiar responsibility on his noble Friend.

The Earl of WINCHILSEA said, that after the speech of his noble Friend (Lord Stanley) there was not one man who was influenced by a proper feeling who would not give an honourable acquittal to his noble Friend (the Earl of Roden) of having violated any of the laws of his country. His noble Friend had been most harshly, unjustly, and unconstitutionally treated. But he had received at the hands of 800 magistrates of all characters and political creeds, a testimonial of which he might well be proud, and which would descend with honour to his posterity. He held that the commission sent down by the noble Earl to institute an inquiry was a perfectly unconstitutional act. If his noble Friend (the Earl of Roden) had been guilty of any violation of the law, his conduct ought to have been investigated in a court of law, and then, if proved guilty, the Executive Government might have pronounced upon him whatever sentence the law awarded. But, were England's liberties to be placed in this jeopardy—that Government was to send forth a commission to investigate the conduct of any man holding a magisterial character, and that upon the report of such commission Government was to pronounce a verdict of guilty, and exercise an arbitrary power in awarding whatever punishment it chose? Such a proceeding, he contended, was a violation of the first principles of the British constitution. The Processions Act was allowed to expire because it was well known that that Act was confined entirely to Orange lodges; it did not extend to the Roman Catholic parties. [Lord Stanley corrected the noble Earl and said, the Act applied to all party processions.] If that was the case, how was it that those monster meetings for the repeal of the Union were allowed to be held in Ireland? There were two parties assembled at Dolly's Brae: one to maintain the Roman Catholic principles of James II., the other to maintain the Protestant principles of the house of Hanover. The latter assembled peaceably and unarmed in their own locality, and were accompanied by their wives and children; while the former were brought from a distance, and were led on by two priests, who gave them bread, knowing that they were armed, and that they were going to make an attack on the other party. It would be well for their Lordships to inquire in what manner this Mr. Berwick conducted the investigation he was commissioned to make. That gentleman confined his inquiries entirely to the conduct of the Orange party, without taking any evidence whatever that affected the Ribband party; and the investigation was conducted in so indifferent and slovenly a manner that, instead of eliciting the truth, it only involved the whole matter in one mass of contradictions and inconsistencies. Though his noble Friend had been most unconstitutionally and most cruelly dismissed from the commission, yet he (the Earl of Winchilsea) would tell his noble Friend that he envied him the applause which his high and virtuous character and most constitutional conduct had received from as honourable a body of men as could be found in Her Majesty's dominions.

Lord BROUGHAM said, that he came to the consideration of the present question void of all party feeling, party views, or party connexions, at least equally with his noble Friend, who had so ably and eloquently opened what might be regarded as a *quasi* judicial discussion. But in answer to the appeal of his noble Friend who spoke last, and who said that no person whose mind was not biassed could possibly dream of imputing any base or dishonourable or illegal conduct to the noble Earl, whose proceedings formed the subject of the present discussion, though he entirely acquitted that noble Earl of all illegality or immorality of conduct, it by no means followed that he could assent to the second part of his noble Friend's (Lord Winchilsea's) proposition, and say that he considered all the noble Earl's proceedings such, and all the proceedings of the Government such, as to entitle him (Lord Brougham) to say, and their Lordships to conclude, that the noble Earl (the Earl of Roden) had been unjustly, unconstitutionally, or arbitrarily dismissed from the magistracy. Although he should not go into the facts of the case for the purpose of explaining why he did not accept that part of the proposition, yet he felt it his duty to offer a few observations upon points which had incidentally come under consideration, but which were most material when discussing the conduct of the Irish Government, as well as material to their deliberations on the subject generally. First of all, he should deeply lament if the violence with which his noble Friend opposite had been of late, and only of late, assailed in Ireland should furnish another instance of that which they had too frequently had occasion to observe in the conduct of their fellow-subjects, the Irish, in dealing with great national questions. He was in much pain to observe that it might seem to afford another instance of that volatile nature which appeared to prevail among great multitudes of our fellow-countrymen in that portion of the united kingdom. One year you were the object of their praise—praise!—they reject so feeble an expression; of their eulogy—that won't do; of their profound admiration;—that is nothing like it—of their deep and heart-felt respect—in the heart's-core felt respect!—even that is not sufficient; but of their veneration, of their all but adoration, and, if their priests would permit it, even of their worship: with them he, who to-day was all but deified, in a very few weeks, before the moon waned, became the object of one deep, loud, and universal burst of vituperation. The idolaters become iconoclasts, broke their images to atoms, which they trampled under foot. All this afforded a strong ground for watching such a people's conduct, and, in connexion with such a people, the conduct of their magistrates. But their Lordships were not to be led away by those feelings; they were to argue like rational men. Her Majesty had in the Speech from the Throne most graciously expressed the reliance She had, not only upon the loyalty, but upon the good sense of the people of Ireland. He had not the least desire to underrate that reliance, but rather, if he could, to regard it as a reliance upon a rock, and not upon a reed; and but for those alternate fits of popular fever, of heat and cold, he should readily participate in that expression of reliance upon their common sense, in spite of all experience of their mercurial nature. Now, this observation was very germane to the matter in hand, and might well account for there being one law for dealing with magistrates in a country composed of people of great deliberation, of great slowness to be moved, of great aversion to strong expressions, either of admiration or of censure, and another law for dealing with magistrates in a country composed of people of so mercurial a temperament that notwithstanding their many excellent qualities, and notwithstanding all their genius, they had taken this notion into their minds, that all matters of the most grave importance, all matters in which any very immediate personal interests to them as individuals or as a people were involved, are of no consequence compared with a few notions of a totally abstract nature, such as the repeal of the Union, or such as those other questions which were at this moment distracting the minds of our excellent neighbours, the French. Their constitutional temperament, like that of the Parisians, was such, that any man by raising his hand for any sort of abstract notion, could get together 20,000 or 30,000 people, march them in procession, and make them meet in one field; and all this without the slightest intention of breaking the peace, or for any illegal purpose; though such people were very apt, before the day was over, to turn their numbers to illegal purposes, because when great numbers are assembled together, their very numbers makes them illegal. The meeting in masses of armed men, however innocent in itself originally, would, from the very fact of their numbers, become illegal. That which was perfectly legal in its inception might become illegal in its endurance, and might lead to most mischievous consequences by astonishing and terrifying the peaceable subjects of the Crown, and, above all, by endangering the public peace of the realm. Look at our greatest authorities in the law, and you find it laid down that even a body of friends assembled to accompany a man to market, and defend him in his walk thither, is an unlawful assembly, and to be dealt with as such, and dispersed, nay, with punishment of the parties so assembled. But as he understood the facts of the present case, even the purpose for which the assemblage took place in Castlewellan was such as to make a collision extremely probable. There was a challenge. That which had happened the year before between these parties rankled in their minds; and when it was said by one party to the other, "Oh, you dare not do so and so," the other said, "But we dare do so and so." "Oh!" says the noble Earl, "there was no collision, because only one party was concerned." Aye, but the challenge was given and it was accepted, and there must always be two parties to a collision. If a man goes out to fight a duel, he breaks the peace, and there is a collision if they meet, and though they don't there is a misdemeanour. He (Lord Brougham) declined entering into the details of this case. But the purpose for which he more especially rose to address their Lordships was one, considering the profession to which he belonged, he could not avoid regarding, nor could he let the present debate close without stating one matter which had struck him while attending to this discussion. With respect to the dismissal of magistrates, he had no manner of doubt that their dismissal was clearly within the competence of the Great Seal, according as the Keeper of the Great Seal should think right. That was clear; but at the same time it was the bounden duty of the persons in that high trust to exercise a sound discretion. He was not capriciously, above all he was not from personal, party, or corrupt motives, to exert that power. He was bound to satisfy his own conscience by inquiry that there was good ground for dismissal. He (Lord Brougham) always greatly doubted the soundness of the doctrine laid down by Lord Eldon, that when once a man was in the commission, there was no possibility of removing him until he had been convicted of some criminal offence; that was not, in his (Lord Brougham's) opinion, the law of the Great Seal of England—at all events since the time of Lord Eldon it never had been the practice; persons had been removed from the commission of the peace in England without any conviction in a court of law. He himself presented a petition against Lancashire magistrates for fining poachers whom they could not convict on the game laws, but asked if they had been at church last Sunday, and finding they had not, fined them. This was an outrage on all justice, for which he had called on the Chancellor of the Duchy to remove them, and yet they never could have been prosecuted for it. But in Ireland the practice had been quite different, even in Lord Eldon's time, from that observed in England; he meant that it had been much more lax. Magistrates there had been constantly removed from the commission for causes which were never thought to be a ground of removal in England; such as for attending a Repeal meeting, or a meeting connected with the Orange lodges. His noble Friend had said that the course which had been pursued by the Irish Government was an unconstitutional one; and that the magistrates ought to have been brought before a court of law for inquiry. But, in point of fact, there was no necessity for instituting any inquiry at all. The Lord Chancellor must satisfy himself that there were good grounds for dismissal; he must adopt every reasonable mode to inform his own conscience. But it appeared that a commission was issued, and was entrusted by his noble Friend (the Earl of Clarendon) to Mr. Berwick, who possessed his noble Friend's confidence, he not being a violent partisan, but a person who from his habits as well as his rank and station would ably and fairly conduct the inquiry. But then it was said that he was unduly empowered to administer an oath; he (Lord Brougham) admitted that making Mr. Berwick a magistrate for the county would not authorise him to administer an oath, except in matters over which he had jurisdiction as a county magistrate; he could not examine upon oath solely for the purpose of informing the Lord Lieutenant and the Lord Chancellor of the result of his inquiries; but then the Lord Lieutenant, exercising the powers of the Crown, had clearly a right to empower Mr. Berwick to examine upon oath whether he was a magistrate or not. This was often done in England on the most important inquiries. Thus he (Lord Brougham) sealed a Commission of Inquiry into corporations, and the Municipal Corporation Act grew out of their report. That Commission empowered any one or more of the commissioners to examine all persons upon oath. Thus the Lord Lieutenant possessed a power to enable Mr. Berwick to administer an oath, in this inquiry, though he (Lord Brougham) would not say that perjury could be assigned against any party on account of such oath. But then it was asked, why were not Lord Roden and the Messrs. Beers authorised to attend this commission? But the commission was not of a nature to require them to attend. It was an *ex parte* proceeding to satisfy the Great Seal and the Government, and no other party had any right to complain of not being invited to attend. Such meetings as those which had been mentioned during the debate, as their Lordships were aware, were attended with very great risk of disturbance in Ireland; and no wonder, for they were told by Major Wilkinson, in his evidence, that the people went to him with their bibles and blunderbusses, just as if they were going to a picnic. [Lord STANLEY: That is not in the evidence.] My noble Friend has not read his brief. If without reading it he spoke three hours, had he read it he would have been speaking still. The words, exactly as I have given them, are at full length in Major Wilkinson's evidence, a print of which lies before me. He says, "The people came with their bibles and their blunderbusses exactly as if they were going to a picnic." He (Lord Brougham) considered that a complete answer had been given to the charge against Mr. Berwick, and he was rejoiced that the honour and fairness of that gentleman's proceedings had been vindicated. Lord Brougham went on to say that the charge against the Irish Chancellor was entirely groundless. That high officer, no doubt, had read and well weighed the evidence. In all likelihood the letter addressed to himself was framed with his own concurrence. He (Lord Brougham) had no doubt whatever on this head. He (Lord Brougham) had forgotten to put his noble Friend (Lord Stanley) right on what he most erroneously conceived to be a novelty in Mr. Berwick's mode of recording the evidence of witnesses. Why did he give no questions, said his noble Friend, but only answers? What judge did so? He (Lord Brougham) must inform his noble Friend, by asking the question, what judge ever in the world did take down the questions? Why, no one ever heard of such a thing, unless once in half a year, when some peculiar reason arises for deviating from the ordinary course most uniformly pursued by all judges in all parts of the empire where witnesses are examined before them. Yet these notes, which give no questions, and only record the subsistence of the answers, are reported to the courts whence the records come for trial; and these judges' notes of the answers in substance form the only grounds on which the court appealed to proceed, or can proceed. Nor is one line of any shorthand writer's note ever suffered to be seen by the court appealed to, even if such shorthand writer, unlike the Irish gentleman, had been present at the whole examination. What, therefore, could be more groundless than this charge against Mr. Berwick? He (Lord Brougham) believed that, upon the whole, substantial justice had been done in the case now under discussion, and that a right course had been pursued. He thought that no objection whatever could be made to the conduct of his noble Friend opposite (the Earl of Clarendon), which, in his opinion, had been distinguished by great wisdom and perfect honesty. He hoped the course that had been followed to-night would not be drawn into a precedent, and that when any magistrate was removed from the commission, either here or in Ireland, they would not have a six hours' debate on the circumstances of his dismissal. He must add that a more triumphant answer he never had heard than that given to his noble Friend (Lord Stanley) on the notes of the absent reporter. Had he (Lord Stanley) taken the trouble of comparing Mr. Berwick's own notes with his report, he might have made a better case. He would only say, before he sat down, that he was certain the noble Earl (the Earl of Roden), during his long exercise of judicial functions as a magistrate, had never shown the slightest approach to unfairness, partiality, or prejudice, political, religious, or personal; and after the debate which had taken place, the name of that noble Lord would go forth from this trial to his country and to the word as entirely unimpeached and untarnished by any imputation of unfairness, partiality, or injustice, as it was before the 12th of last July; and more unimpeached or untarnished, no name in Europe could be.

The MARQUESS of CLANRICARDE was anxious to state, that in every step which his noble Friend the Lord Lieutenant of Ireland had taken on this subject, he had had the entire co-operation and the fullest approbation of Her Majesty's Government. The noble Earl had held office in Ireland during a most extraordinary period, and no part of his conduct had more entirely merited the approbation of his Sovereign and of the Government than had the manner in which he had conducted this most delicate, difficult, and unpleasant business. He (the Marquess of Clanricarde) greatly regretted the circumstances which had led to this debate. It was vexatious to every man who felt interested in the prosperity of Ireland, and it was mortifying and humiliating to every Irishman, to find that, notwithstanding all that had been done, and all the weight of authority that had been brought to bear—the weight of both Houses of Parliament, of addresses to the Crown, and answers from the Crown, it had been impossible to root out of that country those remains of faction and party which had led to the lamentable result that had formed the subject of the discussion that night. Every one had joined in deprecating those societies, and yet the noble Lord opposite appeared in this Motion as the apologist and advocate of the Orangemen; and he (the Marquess of Clanricarde) appealed to their Lordships whether, in almost every part of his speech, there had not been constant laudation of the men of that party, which maintained and promoted by all the means in their power these mischievous processions? The noble Earl opposite (the Earl of Roden) had complained that Orangemen had been persecuted by all statesmen, whether Whig or Tory; but did it never occur to the noble Lord that the Orangemen by their conduct had deserved the reprobation which he acknowledged they had met with from every eminent and unprejudiced man? Troops and magistrates were sent out as much against the Ribandmen as against Orangemen; there was no special feeling on that side the House against Orangemen, but the general opinion was, that both societies were equally injurious. Now, Orange societies were maintained chiefly by and for these processions. The object of those who permitted and encouraged the demonstrations on the part of Orangemen was clear; for if it were not for the processions of which they had heard, there would be no Orangemen. The evils resulting from the continuance of these societies and processions were fully shown in the present case. They had first the tumult, riot, and bloodshed which invariably accompanied processions of this kind; and they had then the corruption and contamination in the administration of justice which inevitably resulted from the existence of such societies. He did not mean to impute any injustice or partiality to the noble Earl, who was as incapable as any one could be of such conduct; but he asked them to look to the facts of the present case, and imagine what must have been the feelings of the Catholics of his neighbourhood, when they saw the noble Earl (the Earl of Roden) appear, as he had done, on the bench at Castlewellan. In these cases of party riots, not only had Catholics their houses wrecked and their persons injured; but when proceedings were taken in courts of law, they found that they had to depend upon the decisions of Orange juries and Orange magistrates. Catholics were almost always convicted, while an Orangemen never was. [*Cries of* "No, no!"] Was it not so at Crossgar? Was it not so at Ruthneale? And was it not the fact that several Catholics had been held to bail at Castlewellan for being concerned in an illegal assembly, while at the very same place informations tendered against Orangemen for a similar offence had been rejected? Would people suppose that justice was administered fairly when they saw the noble Earl acting as he did? He (the Marquess of Clanricarde) imputed nothing whatever to the noble Earl beyond a mistake in judgment, and felt sure that he was anxious to act with the utmost impartiality and most conscientiously in administering justice between man and man; but there were cases in which such mistakes must be visited with reprehension. He (the Marquess of Clanricarde) hoped, from the bottom of his heart, that this would be the last time there would be a discussion in Parliament upon this most odious subject. It was a painful thing that the Government should be obliged to bring in such a Bill as they had introduced into Parliament, instead of trusting to the common law of the country. He trusted, however, that a Bill would put an end to such proceedings; and he was confident the course his noble Friend (the Earl of Clarendon) had taken was the only course which could have been taken to maintain the dignity of the law, and to show Her Majesty's subjects in Ireland that justice in Ireland would be administered without partiality.

LORD ABINGER did not consider that there had been shown, during the whole of the debate, any reason why the noble Earl had been dismissed from the commission of the peace. Lord Roden could not be accountable for the attack upon the procession—he was surely not accountable that an Orange procession should take place. When he assented to receive the deputations, he was not aware that a procession would be formed, consequently it was for something subsequent to the procession that he was dismissed. It was impossible for Lord Roden to receive information of what afterwards occurred. Punishment ought not to be inflicted upon magistrates except upon proof of corruption. That was a wholesome maxim of our civil law, but there was not even in this case the allegation of such a charge. The Government were, in his opinion, using the authority of the Crown against the Crown, and he did trust that they would, in a short time, see the justice of restoring the noble Earl to a commission which he had so worthily occupied.

Lord STANLEY said, if the noble Lords opposite were satisfied with the issue of the debate, and thought that their proceedings were vindicated, he, for his part, would be quite satisfied with its result. With respect to the shorthand writer's notes, he had heard their correctness questioned for the first time that night. He had a great number of letters in his pocket, all testifying to their accuracy. That report was verified by an affidavit in the Court of Queen's Bench, which remained uncontradicted. He believed it had been stated by the noble Earl (the Earl of Clarendon) that the reporter of the *Newry Telegraph* had not taken notes of the proceedings.

The Earl of CLARENDON: Not on the second day.

Lord STANLEY had no opportunity of knowing whether he had taken notes or not, but it was quite clear he was present. He could only say that he would not set the assertion of a rival newspaper against a report verified by an uncontradicted affidavit in the Court of Queen's Bench in Dublin, but would set that affidavit against an anonymous communication.

The Earl of CLARENDON said the communication alluded to was not anonymous.

Lord STANLEY could state that the observations of Chief Justice Blackburne were not addressed to this affidavit. The proceedings against the *Dublin Evening Post* were instituted at a late period, and the question arose why they were not taken sooner. In order to meet this case, a series of articles published in the *Dublin Evening Post* were put on the file, for the purpose of showing that their continuous publication was injurious to the prosecutor. Chief Justice Blackburne was of opinion these articles were insufficient to account for the delay, and, on this ground, he refused to make the rule absolute; but to show that there was no allegation on the truth of the prosecutor, it would be sufficient to state that the rule was discharged without costs. He felt it would not be necessary for him to enter into the merits of the whole case; but he would remark that he did feel surprised that the noble Marquess opposite (the Marquess of Clanricarde) had accused him—he thought he might have been asleep during the early part of his address—had accused him (Lord Stanley) of being the advocate of party processions. He who claimed to be the Minister who first introduced a Bill to put such party processions down—he who had hoped to have passed the measure quickly through the House—he who had done something by bringing forward this substantive Motion, in order to prevent the question being mixed up with the greater question of party processions—he did feel surprised that he should be accused of being the champion and advocate of Orangemen. In 1835 he had been most anxious to dissolve the old body, and he regretted the formation of the new. He was perfectly satisfied with the result of the discussion, as far as his noble Friend (the Earl of Roden was concerned. The noble Marquess (the Marquesss of Clanricarde) had inquired if such a discussion would have taken place if Mr. Beers, or some one occupying a more insignificant position than the noble Earl had been dismissed; and his noble and learned Friend (Lord Brougham) had said that it would hamper Chancellors if, when a magistrate was dismissed, it were to be a Parliamentary question. Now he said, be he high, or be he low, be well known or obscure, if oppression or tyranny were exercised in the dismissal of any magistrate, he trusted the time would never come when that magistrate would find the doors of Parliament closed against his just complaints. His noble Friend had, during that debate, ample testimony borne to his station and high character. It was true his noble Friend had not the satisfaction of knowing for what cause he was dismissed from the commission of the peace; but he had the satisfaction of hearing that Government which had dismissed him bearing testimony to his justice and impartiality as a magistrate; he had the satisfaction of knowing that all that could be brought against him was that in this single case he had been guilty of an error of judgment.

On Question, Motion agreed to.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, February 18, 1850.

Minutes.] Public Bills.—1° Farmers' Estate Society (Ireland); Landlord and Tenant (Ireland); Commons Inclosure.

2° Glasgow Markets and Slaughterhouses; Australian Colonies Government.

Reported.—Party Processions (Ireland).

MARRIAGES BILL.

SIR R. H. INGLIS wished to ask his right hon. and learned Friend the Member for the county of Bute, when the Bill for legalising the marriage of a widower with his late wife's sister, which Bill he had unhappily obtained the leave of the House to introduce, would be delivered to Members? That leave was given on the 7th instant, and the Bill was read the same night; and short as the Bill was—one sheet only—it had not yet been printed.

MR. S. WORTLEY said, he was responsible for the delay, being desirous of introducing a clause of great importance, similar to the one proposed last Session by the hon. and learned Member for Plymouth.

SIR R. H. INGLIS must now appeal to the Speaker. His right hon. Friend said, in substance, that the printing of the Bill had been delayed because he wished to frame a clause in concurrence with the views of the hon. and learned Member for Devonport. He had very great respect for that hon. and learned Gentleman, and he knew by experience the value of his support; but he contended that, though any Member, having obtained leave of the House to prepare and bring in a Bill on any subject, might take days, weeks, or months for the purpose, he could not, when once he had brought up such Bill, and when the House had received and read it, make any alteration whatever in it. It was no longer his property, any more than that of any other individual Member, and could not be altered by any one. The House alone could then deal with it.

MR. SPEAKER said, it was not competent for an hon. Member to make any other than a clerical alteration in a Bill which had once been introduced and read a first time.

MR. S. WORTLEY said, that the Bill was substantially the same as that of last Session, and that the alteration he had made did not affect the principle. He should very shortly have an opportunity of laying it before the House.

SIR R. H. INGLIS hoped that his right hon. Friend would now let the Bill be printed and distributed as it had been read and ordered by the House to be printed.

MR. FEARGUS O'CONNOR.

MR. F. O'CONNOR wished to know, as a grievous attack had been made on his character in another place, by the hon. and learned Member for Sheffield, whether any course was open to him by which he could bring the accusations before the House, that he might have an opportunity of defending himself from the charges brought against him?

MR. SPEAKER: There is no course I know of to enable the hon. Member to bring the question before the House.

DENMARK AND PRUSSIA.

MR. G. SANDARS begged to ask the noble Lord the Secretary for Foreign Affairs if it were true that the Danish Government had refused to renew the armistice of the 10th July last; and if so, whether the noble Lord considered, as a natural consequence, that there would be a renewal of the blockade of the Prussian ports of the Baltic and the Elbe? He had seen a statement in the public papers, since he had placed his notice on the Paper, to the effect that the Danish Government had consented to a renewal of the armistice on certain terms. He wished to know whether that statement was correct; and if it were, whether the noble Lord would state the nature of the conditions upon which Denmark had consented?

VISCOUNT PALMERSTON presumed the House would remember that the convention of armistice between Denmark and Prussia was to last for six months, and terminated in January last. Her Majesty's Government proposed to the two parties to continue that armistice for six months longer. There was objection made to it in the first place on both sides; but on the 16th of this month, he received a communication from the Danish Minister here, transmitting a despatch from the Danish Government, intimating their willingness to consent to the proposal, upon condition that all the parties concerned should concur in acknowledging that armistice, and that the conditions of the armistice should be faithfully carried into execution. There had been differences between the two parties as to the detailed execution of some of the conditions of the preceding armistice, which differences had never been adjusted up to the moment when it expired. The parties the Danish Government required to be consenting to the prolongation, he apprehended, would be the Prussian Government and the Central Power at Frankfort. There might be some difficulty, he was apprehensive, with respect to the latter; but he had instructed Her Majesty's Ministers at Berlin and Frankfort to recommend the prolongation of the armistice. Sufficient time had not yet elapsed to enable him to state the determination of the parties; but the armistice virtually continued, though the specific period for which it was contracted had expired. Hostilities could not be resumed without six weeks' notice; and he certainly had no reason to suppose that there was on either side an intention, at present at least, so to announce the commencement of hostilities. The proposal to which the Danish Government had consented, was for a renewal for six months; it might perhaps be desirable to extend the armistice still further; and he believed the Danish Government would be willing to continue it to the end of the year.

PUBLIC BUSINESS.

Lord J. RUSSELL moved that upon every alternate Thursday Orders of the Day have precedence of Notices of Motion on the Paper. There had been a gradual decrease from eleven in 1846, to eight in 1849, of Government Motions on Thursdays. His opinion was, that the arrangement now proposed would be the one most convenient for the House. The Amendment placed on the Paper by the hon. Member for Sutherland would most probably answer the object of the Government, but he did not think it would be so convenient to the House.

Motion made, and Question proposed—

> "That upon Thursday, the eleventh day of April next, and every alternate Thursday following, Orders of the Day have precedence of Notices of Motions."

Mr. HUME, in the absence of the hon. Member for Sutherland, would move the Amendment of which notice had been given. He complained that the time allotted to individual Members was gradually curtailed, and urged that the Amendment of the hon. Member whom he represented on that occasion was a compromise which the Government ought not to decline.

Amendment proposed—

> "To leave out from the word 'every' to the end of the Question, in order to add the words, 'Thursday following, Orders of the Day have precedence of Notices of Motions; but that the right shall not be reserved to Her Majesty's Ministers of placing Government Orders at the head of the list.'"

Lord J. RUSSELL said, that his only object was to get the Bills through that House in time for their careful consideration in the other House of Parliament. Thinking his Motion the best calculated to effect that object, he must oppose the Amendment.

Mr. SPOONER reminded Ministers that many measures, in the hands of private Members last Session, were obliged to be postponed altogether, in consequence of there not being a sufficient number of days on which such measures had precedence. He considered this was an attempt to stifle the voice of private Members which ought to be resisted.

Mr. M. GIBSON considered that a Thursday at the beginning of the Session was much better worth having to a private Member than one at the end, while the latter was as valuable to the Government as the former, inasmuch as they could always secure a House. As one who had some interest in the matter—for it was his duty occasionally to trouble the House—he was desirous that the Thursdays should be continued to private Members as long as possible in the early part of the Session, and that they should be given up to the Government at a more advanced period. On a recent occasion he had experienced the inconvenience which the limited number of days now allotted to private Members occasioned, having been obliged to postpone a measure of some considerable importance for a month. He was inclined to support the Amendment, seeing, as he thought, a growing attempt to limit the power of independent Members in that House.

Sir G. GREY said, that the present proposition was to give every alternate Thursday, from the 11th of April, for Government business; this would give the Thursdays for the first three months of the Session nearly to private Members. The Government were desirous of having the extra day at an earlier period than heretofore, in order that they might be able to send up measures of importance to the Lords before the end of the Session, when they were frequently thrown over, for want of time to consider them. It should be remembered that, besides the two notice days, private Members had the Wednesdays for bringing forward any Bills which they had in charge; and, when they talked of Government days, he believed there was now a general desire, which Ministers were anxious, as far as possible, to meet, that Government should take charge of all measures of public importance, instead of leaving them in the hands of independent Members; therefore, the country in general were interested in affording them facilities to bring forward their business at as early a period in the Session as possible.

Mr. HUME was anxious to preserve those popular rights, in regard to the manner of conducting the business of the House, which at present existed, and thinking that the feeling of the House was in his favour he would divide.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 140; Noes 38: Majority 102.

Mr. DISRAELI looked upon Motions of this sort as systematic attacks on the privileges of the minority, which had always been regarded as the only hope of a suffering community. He could not understand why hon. Gentlemen should now so willingly and shamefully surrender privileges which had ever been their greatest boast. For his own part, he did not consider either the Motion or the Amendment entitled to their approbation; he protested altogether against surrendering the notice days, which alone afforded to independent Members the opportunity of bringing under the consideration of the House matters often involving the most important public interests, and should take the sense of the House against the proposed order.

Lord J. RUSSELL would remind the hon. Gentleman that the practice he condemned so strongly had existed since 1840. During the last ten years the Thursdays, from a certain period of the Session, had been given up to the Government; but by the arrangement now proposed, by beginning earlier, and taking only each alternate Thursday, probably fewer days would be taken than in former years.

Mr. HUME could only say, that since 1840 there had been a greater arrear of business at the end of each Session than had ever been known before. It appeared to him that they were progressing year by year in making inroads on those rules and regulations which those who used to be looked upon as authorities had often declared to have been framed for the protection of the people.

Colonel SIBTHORP thought they were going backward every day, and all he could hope for was, that they would soon arrive at that state when they could not get worse, for then there would be some hope of amendment.

Sir R. H. INGLIS, not being one of those who were disposed to die on the floor of the House, concurred entirely in the proposition of the noble Lord.

Sir R. PEEL admitted that in the abstract two days a week were not too much to give to private Members, in order that they might have the opportunity of questioning the acts of Government, or inviting consideration to great questions of public interest; but he had great difficulty in resisting the appeal of the noble Lord, seeing that for five years in succession he himself had been compelled by a sense of public duty to ask the House to give a similar privilege to the then Government, not for their convenience merely, but to facilitate the progress of legislation. On the whole, he thought the present arrangement an improvement upon that of late years, and that it would tend to the general convenience for Ministers to begin earlier and take every alternate Thursday rather than take every Thursday at a later period of the Session. He was the more inclined to vote for the noble Lord's Motion from the intimation thrown out by the right hon. Baronet the Home Secretary, that Government were disposed to take into their own hands all measures of public importance, with the view to legislation. That intimation was at variance with the doctrine the noble Lord had held on previous occasions, but he was disposed to think the principle an excellent one, so far as independent Members were concerned, that the duty of preparing measures of legislation should in all cases of general public interest be undertaken by Ministers.

Main Question put:—Ayes 143; Noes 47:—Majority 96.

List of the Ayes.

Adair, R. A. S.
Alcock, T.
Anson, hon. Col.
Armstrong, Sir A.
Baines, rt. hon. M. T.
Baring, H. B.
Barnard, E. G.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Blair, S.
Bowles, Adm.
Brotherton, J.
Brown, W.
Burke, Sir T. J.
Busfeild, W.
Cardwell, E.
Carter, J. B.
Castlereagh, Visct.
Cayley, E. S.
Charteris, hon. F.
Clay, J.
Clay, Sir W.
Corbally, M. E.
Cowper, hon. W. F.
Cubitt, W.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Denison, J. E.
Divett, E.
Douglas, Sir C. E.
Drummond, H.
Drummond, H. H.
Duncan, G.
Duncuft, J.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Dunne, Col.
Du Pre, C. G.
Ebrington, Visct.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Enfield, Visct.
Farrer, J.
Fergus, J.
FitzPatrick, rt. hn. J. W.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
French, F.
Gladstone, rt. hn. W. E.
Glyn, G. C.
Goulburn, rt. hon. H.
Granger, T. C.

Greene, T.
Grey, rt. hon. Sir G.
Guest, Sir J.
Hallyburton, Lord J. F.
Harris, R.
Hastie, A.
Hawes, B.
Hayter, rt. hon. W. G.
Heneage, G. H. W.
Hervey, Lord A.
Heyworth, L.
Hodges, T. L.
Howard, Lord E.
Howard, hon. C. W. G.
Humphery, Ald.
Hutt, W.
Inglis, Sir R. H.
Jermyn, Earl
Jervis, Sir J.
Keppel, hon. G. T.
Labouchere, rt. hon. H.
Lacy, H. C.
Langston, J. H.
Lemon, Sir C.
Lewis, G. C.
Loch, J.
Mackinnon, W. A.
Macnaghten, Sir E.
M'Taggart, Sir J.
Meagher, T.
Mahon, Visct.
Mangles, R. D.
Martin, J.
Masterman, J.
Matheson, Col.
Maule, rt. hon. F.
Molesworth, Sir W.
Morgan, O.
Morison, Sir W.
Morris, D.
Mulgrave, Earl of
Norreys, Lord
O'Brien, T.
Ogle, S. C. H.
Ord, W.
Pakington, Sir J.
Palmer, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, F.
Pendarves, E. W. W.
Perfect, R.
Plowden, W. H. C.
Portal, M.
Power, Dr.
Power, N.
Pugh, D.
Rich, H.
Roebuck, J. A.
Romilly, Sir J.
Russell, Lord J.
Sandars, G.
Scrope, G. P.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Simeon, J.
Smith, rt. hon. R. V.
Smythe, hon. G.
Somers, J. P.
Somerville, rt. hn. Sir W.
Sotheron, T. H. S.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, H.
Thesiger, Sir F.
Thornely, T.
Trelawny, J. S.
Villiers, Visct.
Wall, C. B.
Walpole, S. H.
Wellesley, Lord C.
Williamson, Sir H.
Willoughby, Sir H.
Wood, W. P.
Wrightson, W. B.
Wyvill, M.

TELLERS.

Tufnell, H.
Grey, R. W.

List of the NOES.

Adair, H. E.
Arkwright, G.
Boldero, H. G.
Bouverie, hon. E. P.
Bremridge, R.
Bright, J.
Chatterton, Col.
Dick, Q.
Disraeli, B.
Evans, Sir De L.
Forbes, W.
Fox, W. J.
Fuller, A. E.
Gibson, rt. hon. T. M.
Gooch, E. S.
Gore, W. O.
Gwyn, H.
Halford, Sir H.
Hardcastle, J. A.
Hastie, A.
Herries, rt. hon. J. C.
Hudson, G.
Kershaw, J.
Lushington, C.
M'Gregor, J.
Manners, Lord J.
Milnes, R. M.
Moffatt, G.
Mowatt, F.
Newdegate, C. N.
O'Connor, F.
Packe, C. W.
Ricardo, J. L.
Scholefield, W.
Scott, hon. F.
Sibthorp, Col.
Sidney, Ald.
Smith, J. B.
Spooner, R.
Stafford, A.
Stuart, Lord D.
Sturt, H. G.
Thompson, Col.
Waddington, H. S.
Wawn, J. T.
Willcox, B. M.
Wyld, J.

TELLERS.

Hume, J.
Beresford, W.

AUSTRALIAN COLONIES GOVERNMENT BILL.

MR. HAWES moved the Second Reading of this Bill.

MR. SCOTT said, he did not propose to offer such an opposition to the Motion as would, if carried out, defeat the purpose of the measure—his object was rather to obtain more certain information as to the wishes of the colonists on the subject. He was anxious to improve the government, and to extend liberty to the inhabitants of our Australian colonies; and he admitted that no measure had ever before emanated from the Colonial Office, conferring so large an amount of civil liberty as the present. But there were constitutional questions in the Bill so important that they must be considered before the principle was affirmed. It certainly was the interest, and he believed it to be the duty, of every State to give to its dependencies institutions similar to those which it enjoyed itself. That was the best mode of extending our empire, and cementing the affections of our colonies to us. Our connexion could not long continue with colonies to which we gave institutions essentially differing from our own. They were now about to give to the colonies of Australia a new constitution; but what he complained of was, that there was not in that constitution a single feature in common with our own. The constitution they were about to confer on the Australian colonies assimilated rather to the Republican Government of France, or the federal form of government prevailing in the United States, than the constitution of England. This was the point to which he wished chiefly to draw attention. There were various questions involved, as the prerogative of the Crown, the veto, and others which were too intricate to venture upon at that stage of the measure, and into which he would not enter. The Bill before them contemplated the existence of one chamber in New South Wales instead of two; and the argument on which this change from our own constitution was based, was the wish of the colonists themselves. The Government stated their own opinion that two chambers were preferable to one; but they surrendered their own opinion in deference to the wishes of the colonists. But he maintained that no sufficient evidence has been given that such was really the desire of the people of the colonies. Now, let the House look at the constitution which Her Majesty's Government were conferring on the colonies of Australia. One-third of the members of the chamber would consist of nominees of the Government. In New South Wales, the chamber itself would consist of 36 members; 24 of those would be elected, and the remaining 12 would be either officials or nominees of the Crown; and the Bill provided that, in the event of the chamber being extended, these proportions were to be retained. Now, in point of fact, this arrangement would be found, upon most questions, to afford an actual majority to the Government, because they would have one-third official persons always present, and these could, on most occasions, command a certain number of votes, so as to overwhelm popular sentiment. Suppose the British House of Commons to contain 230 Members, actual nominees of the Government, holding their seats in the House according as they voted in favour of the Government — that would afford a pretty accurate idea of the form of representative government proposed for our Australian colonies. It was said, however, that this was the original form of government given to the colonies in question; but it ought to be recollected that the Act giving that form, which was the 5th & 6th of Victoria, was introduced by Lord Stanley, and passed through the House of Commons without discussion, and passed through the House of Lords after a remark or two from Lord Monteagle. But that Bill had been given as a step towards more extended liberty, and the continuance of such a measure in opposition to the wishes of the colony, was much more likely to hamper the Government than to assist them. There was no precedent for having a single chamber. The custom throughout had been to give two chambers in preference to one; and if two had been given to the Cape, and two to Nova Scotia, how could the House expect that the continuance of one in New South Wales would give satisfaction to Australia? Moreover, it had been admitted that rash legislation was more likely to be prevented by two chambers than by one; and he could give more than one instance in which very disastrous consequences had been likely to follow from the impetuous conduct of a single Chamber. He knew Her Majesty's Government would reply, that power was given the colonists to alter the constitution if they wished; but then the single chamber was recommended, whilst the colonies were told that they might adopt any other form of government they pleased. The hon. and learned Member for Sheffield had said the other night that jealousy and divisions were likely to be excited by such legislation; and he (Mr. Scott) certainly feared that, if one set of colonists were thus excited against another set, the *divide et impera* policy, by which the Colonial Office was enabled to manage parties in the colonies, would create anything but harmony. The question was, why had Her Majesty's Government abandoned the form of government they themselves considered fit, and recommended the single chamber? He knew it would be said that they had done so in compliance with the wish of the colonists, and that the papers heretofore presented to the House would be brought forward in proof of the inclination of those colonists in favour of one chamber. But, in looking at the papers, he asked whether any such preference was to be found for one chamber over two, either in the petitions contained in the papers, or in the decisions of the legislative council, or in the representations made to the Government? Sir William Denison was in favour of two chambers instead of one. Sir Charles Fitzroy had given his opinion that the assimilation of the constitution of the colony to that of the older British colonies, where distinct legislative councils existed, was extremely desirable. The Legislative Council itself had given the preference to two chambers over one, even though one of the two chambers should be entirely composed of Government nominees; and the petitions from the colony which were cited the other night, set forth the admiration of the petitioners of two separate chambers. When the Bill of last year, which was very similar to the one now proposed, had reached Australia, the Legislative Council of New South Wales was sitting. It continued its sittings for three weeks afterwards; and he was very desirous of knowing what papers Her Majesty's Government had since then received in reference to the measure. If they had received any in favour of the single chamber, why were they not presented? He thought this Bill had been introduced without due deliberation, and he was unwilling to go to the second reading of a measure which, in its principle, perpetuated, or sought to perpetuate, a form of government that prevailed in the United States, and that only had a parallel in the constitution of France, and in the constitution originally given to Corsica. He was for giving a distinct co-ordinate chamber to the colonies of Australia, and thus investing the colonists with the full benefit of popular representation. The proceedings of the Legislative Council of New South Wales fully proved that its members possessed talent and ability, and a capacity for business, and that many of its most prominent speakers were men of high character; and, as evidence of this fact, he need only refer in particular to Mr. Wentworth and others, who had taken part in moral and religious questions, and shown their aptitude for taking the place of independent members. He believed the double chamber would elevate the tone of society, exalt the morals, and conduce more than anything else to cement and attach Australia to the parent State; and with the express wishes of the colonists before the House in favour of the double chamber, he thought hon. Members wanted more evidence to be laid on the table before they advanced the Bill now proposed another stage. He, therefore, moved as an Amendment that that stage of the Bill be postponed until further papers on the subject be laid on the table of the House.

Mr. LABOUCHERE said, he would forbear from going into the details of the Bill, because at that stage it was not desirable to go at any great length into a discussion of the measure itself, but to confine that discussion to the principle. He apprehended the general principle was to enlarge the powers of the present legislature, so as to enable the colonists to frame a constitution for themselves which they might send to this country for confirmation, if confirmation to it here should be considered advisable and proper. The hon. Gentleman who had just spoken stated his belief that it would be more satisfactory to the colony that we should frame a constitution for it resembling that which Her Majesty the Queen had been advised to grant to the Cape of Good Hope, that of having two chambers. He (Mr. Labouchere) presumed to doubt whether that hon. Gentleman, in the present state of the colony, did actually represent the wishes and feelings of those of whom he was the agent in this country, for, from all the means Her Majesty's Government had had of judging of their wishes, they were quite contrary to what the hon. Gentleman had just stated to the House. The hon. Gentleman had said that there was no support of the single chamber in the papers already laid upon the table. He (Mr. Labouchere) admitted that there was not evidence in those papers to show that it was the deliberate opinion of the inhabitants that finally and permanently the single chamber would be better than two chambers; but it was the almost universal opinion of the inhabitants that they should be left to their present institutions, with only such alterations as should enable them to propose a scheme of government for themselves, rather than that any constitution should be sent out, cut and dry for them, from that House. This was the substance of the evidence the papers contained. He would call the attention of the hon. Gentleman to a very remarkable despatch, written by Sir Charles Fitzroy, when transmitting a petition from a large public meeting held at Sydney upon this subject. Sir Charles said that the petition had been signed by upwards of 3,000 persons, who prayed Her Majesty not to assent to any change in the constitution of the colony, which should not receive the assent of the colonists at large—that this petition had been signed by men of all shades of opinions—that public meetings for a similar purpose had been called throughout the colony—and that other similar petitions were in progress of signature. [Mr. Scott: What is the date of that despatch?] The 2nd of February, 1848. [Mr. Scott: Two years ago.] The prayer of the petition adopted at the Sydney meeting, was to the effect that Her Majesty would not assent to any change in the constitution, which should not have received the previous sanction of the colonists. Sir Charles Fitzroy had sent over at the same time a report of the speeches made at the public meeting, many of which were very able. One of them had been delivered by Mr. Wentworth, the gentleman already referred to in the course of this debate, who declared that although some difference of opinion might exist as to the formation of another House, yet that the only objection he had to the present council was, that it did not possess power enough—that it was powerless for good, and potent for evil. This did not express any distrust in the Legislature as at present constituted, or any unwillingness or inability to frame right and proper measures to enlarge its powers. Now, by the Bill at present proposed, the colonists would be left to suggest those measures and that form of government which, in their opinion, most suited their position; and he (Mr. Labouchere) thought Her Majesty's Ministers had acted wisely in forming the measure on such a principle. He agreed with some of the views laid down by the hon. Baronet the Member for Southwark touching the management of our colonies; and he thought that, in matters of such great concern as those now involved, it was not asking too much that the Crown of England should consider the plans suggested by the colonists of Australia; and he could assure the House that Her Majesty's present Government would approach the task of considering them with a sincere desire to conciliate the wishes of the parties immediately concerned, and to satisfy the people of the empire at large. The hon. Member for Berwickshire had repeated an observation made the other night by the right hon. Baronet the Member for the University of Oxford, for he said the remedy now proposed would be imperfect, inasmuch as the body to whom the new powers were to be entrusted, would consist, one-third of them of nominees of the Crown, and that these nominees would outvote the representatives of the people. But there was no just foundation for the doubt thus expressed. The colonists themselves had expressed no apprehension that from the mixed council, composed partly of the nominees of the Crown, there would not issue recommendations and measures which would be suited to the community among whom they lived; and, indeed, it was the most idle of all apprehensions to suppose that, because there existed these nominees of the Crown, the representatives of the people were to be outvoted. He thought it a very groundless and unfounded apprehension to imagine that the assembly would not work well and efficiently. There had been a choice of difficulties in the question. If two chambers were not to be established, then no one would expect that the single chamber should be left without any nomination from the Crown. He would not wish to live under, or to see introduced, such a form of government as should exclude that nomination; and though, as a general question, he quite preferred two chambers to a single chamber, yet, if they had a single chamber, there must be a counterpoise in it. He thought it most desirable that the House should confine itself at present to the principle of the Bill, reserving details for future consideration when the measure should have gone into Committee. He had no apprehension that it would not secure the approbation of those whose interest it was designed to promote. So far as could be judged from the newspapers published in every part of Australia, there was every reason to suppose the colonists had received it with gratitude and satisfaction. He hoped nothing would occur in the House to bar or interfere with that harmony and goodwill which was now subsisting between England and Australia. The Bill had been prepared with a sincere desire to promote the welfare and prosperity of the Australian colonies; and therefore he hoped the House would assent to its second reading.

MR. ROEBUCK said, he perfectly agreed with the right hon. Gentleman who had just resumed his seat, that in the present stage of the measure the House ought to confine itself to a discussion of the principle, and not enter upon the details. Now, the right hon. Gentleman had said, that in his opinion the principle of the Bill was simply to give an enlarged power to the existing legislature in the colony of Australia. He had stated, in so many words, that there being in the colony a certain form of legislature, the powers were now restricted by which the parties might act, and that the whole object and intent of the Bill was to take this legislature and give them a sort of unlimited power in making constitutions for themselves, which constitutions were to come home and receive the assent of the Crown. That was the principle of the Bill. Now, he (Mr. Roebuck) at once objected to that principle. Remark how the right hon. Gentleman wished to proceed. He wished the House to proceed—first, by making legislative councils in a great measure nominated by the Crown, with hardly any power from the people in the colony, and afterwards, when that was done, to give to these nominees of the Crown, or at least a large portion of the nominees, the great powers of legislation which that House (the House of Commons) ought itself to exercise. He complained of the Government, and would complain of the House, if it were so contented to divest itself of its great powers of legislation, so far as the dependencies of the Crown were concerned; for, if it were so contented, hon. Members would be confessing their own ignorance and weakness, and saying they were not fit for the government of the colonies. [MR. HUME: Hear, hear!] He was astonished to hear the hon. Member for Montrose cheering this statement, as if he (Mr. Roebuck) had been saying something which was opposed to the liberties of the colonies. What was he objecting to? He was objecting to giving powers to people who did not derive their will from the people of the colonies. He wanted the House to frame a legislature, to send that legislature out to the colony, and when it got there to plant at once liberal institutions, and not to go through all the contest and agony which would be created by the passing of this Bill. He had supposed when the noble Lord at the head of the Government came down the other night, and said, he was going to explain the policy of Her Majesty's Ministers respecting the colonies, he thought the noble Lord was going to lay before the House some large and liberal policy, some well-defined measure, some well-digested plan; whereas of all the abortions ever put forward by an incompetent Administration, this Bill was that which bore away the palm. He defied any one to understand it without the greatest care, attention, and even knowledge. If he took into his hand the Act of Parliament creating the constitution of the Canadas as brought in by Mr. Pitt, nobody would find any difficulty in understanding that. It was clear, defined, logical. It began by defining the limits of the colony. It created the actual form of the constitution. It told us of whom the various parts of that constitution should consist. It told us more than that—what should be the constitution of the representative assembly. It told us what should be the franchise that should elect the assembly, and in fact it was what it purported to be, the constitution for the colonies. Now, what was the present Bill? He was not going to discuss the details of the measure as details, but he was discussing it as the constitution for a colony; and he would invite the attention of the House and the country to the way in which it had been framed. It began by enumerating, he did not know how many Acts of Parliament, but there were between seven and eight Acts of Parliament. It did not repeal, it recited them. He wanted to know the meaning of that? If there was no portion of them repealed, why recite them? If they said to the people of Australia—"Here is your constitution," how were they to understand it? At the end of the first clause, they divided a certain colony and made a new clause, and then they proceeded to deal with each separate colony with reference to all these Acts, so that to understand any one portion of the Act, you must have all the other Acts in your hand—you must compare and understand them with the eye of a lawyer; and none but a lawyer could understand them. That was not the way to draw up a constitution for a people of any sort. It was not like the Reform Bill brought in by the noble Lord. That was an exceedingly elaborate performance. It told us what was the constitution the various towns and boroughs were to have in order to make the House of Commons. Parliament was now about to divest itself of the power of approval. He could not agree with the right hon. Gentleman that the Crown should reserve certain powers to itself. He would not deprive the Crown of that. He could well understand that the Crown should preserve it through the governor; but he could not agree that they should on every occasion send their legislation, not for the approval of this House, but of the Colonial Office. That was not what he thought this House ought to do. But he asked what the House ought to do? Was it not clear that it was the duty of the House to consider the whole of our colonies that were of the description of the Australian colonies, New Zealand and South Africa, as one set of colonies, and at once to prepare a legislature for them. Now, he was given to understand that there had gone out of the Colonial Office a ready-made constitution for South Africa. If the Colonial Office could send out a ready-made constitution for South Africa, he wanted to know why the Parliament of Great Britain might not send out a ready-made constitution for the Australian colonies. The hon. Gentleman the Member for Berwickshire objected to one cut and dried by Parliament, and yet he did not object to the cut-and-dried constitution that was concocted in the Colonial Office. He was told that that was a really beneficial constitution, and he did not object that it was cut and dried. There were five colonies in Australia, but the letters the right hon. Gentleman the President of the Board of Trade had quoted, and the petitions, all came from Sydney; and he told them it was the opinion of their legislature there that their constitution should not be altered without their approval. The right hon. Gentleman had foisted in the word "colonist." He wanted to know what was the meaning of the word "colonist." The right hon. Gentleman had quoted declarations made at a public meeting. He knew what public meetings were. They were generally got up to serve the purposes of those who called them. He could not understand why the Government should divest itself of the power of legislation. He hoped the House would not so divest itself, and when the time came he should test the opinion of the House on the subject. He did not object to a single council if it was to be wholly elective. He did not ask for it, and he did not know a single colony that did ask for it. But that was what their experience in Canada convinced them must take place. He wanted to know, when they had had that long experience in Canada, and when the right hon. Gentleman and the noble Lord were both convinced that the legislative council chosen by the Crown was a source of mischief, why they should introduce into South Australia this newfangled doctrine. He did not use the word to bring it into contempt, or to imply that he objected to a newfangled doctrine; but this was altogether contrary to our experience. We had had nothing at all like it, to have a body of people elected by the colonists, and a set of men chosen by the Colonial Office, or by a clique in the colony. Calling it the act of the Sovereign did not lend it dignity; it was no more than a means of giving power to a small body of the colonists, a power opposed to the opinions of a large body of the people. They might hide it as they pleased under fantastic names; they might call it a single chamber; they might talk about the attributes of this country, and about connecting it with this country. It was no such thing; it was a mere device to retain the power in the hands of a few. He warned the Government and all those connected with the colonies, that so sure as they created this body, so sure did they create a constant source of discontent and quarrel. Now he should ask the noble Lord to justify to himself, and to the country, this strange anomaly. He did not agree with the right hon. Gentleman, who said it was the opinion of the colonists. It was the opinion no doubt of those that he quoted; for they did not dislike the supposition then in their minds, that there was to be no alteration without their approval. But he would ask the noble Lord if this legislature was like that which they were going to send out to South Africa? Let them send out to New South Wales such a legislature as they were about to send out to South Africa, and he should be very much mistaken if the people of those colonies did not receive it with great thankfulness. But recollect we were not taking a step from which we could go back. This the noble Lord introduced as the commencement of a new system. He said the colonies were about to be deprived of the benefit of the connexion with England through monopoly, and, therefore, said the noble Lord, "We are about to begin a new system; we are laying the foundation of a great empire." Therefore, he would ask this House to see how they laid that foundation which they could not unmake. It was like a building which when once the foundation was laid, it took as much trouble to alter as to lay it. This Bill, when it had passed and gone out to Australia, would be a species of charter. He hoped that in time it would work beneficially—that they would in time have a good constitution, but they would have it in spite of this legislation, not in consequence of it; whereas they would find that in South Africa they would not have the difficulty they would have in these colonies. These were their model colonies, and they were going to place in that large district of the globe a set of institutions which were totally unfit. Two plans were brought forward. The noble Lord at the head of the colonies, of his own unbiassed judgment, sent out one to South Africa, and from some strange caprice this other one was brought to the House and called a constitution. Why, they had left all the power in the present assembly; they were divesting themselves of every means of legislation, and the only check they had was the check of the Colonial Office. It was a Bill for perpetuating the power of the Colonial Office. If the House of Commons was prepared to throw from its shoulders all care about the colonies, let it do so boldly at once; but do not let us create a dominion in Downing-street, which all the long years of our colonial experience had taught to be most mischievous. Ask anybody what had been the effect of the Colonial Office on the destinies of America, beginning with New England and Virginia down to Canada. When the people of New England were left to themselves they thrived and became a great people; and when the Colonial Office interfered, quarrels took place, something like rebellion was constantly breaking out, and from one end of New England to the other they had constant discontent, and at last the consummation of it was the declaration of independence in 1776. Cross the St. Lawrence, and they found the same influences exist. In Upper and Lower Canada they traced the power of the Colonial Office for mischief. There they had the nominated legislative council. They had themselves acknowledged that that nominated legislative council could not be maintained. And why? Because the growing intelligence of the colonists was such that they would not put up any longer with it. The fault lay with the Colonial Office rather than with the Colonial Minister. The Colonial Minister did not govern the colonies; it was the persons constantly in the office—the men who maintained power through all changes of the Administration. The Ministry were but lost in their hands; they wielded power according to their own will, and not according to that of the Ministry; and this it was that rendered this Office the bane of the colonies. It was not the really responsible Minister who governed; he was a mere instrument in their hands. He had seen ten or twelve changes in the hands of the Colonial Office: in one Administration there were four or five. No sooner did a man go in and learn something, than he was changed for the exigencies of the Administration, and thus the power fell into the hands of the clerks. They were going to do the same with this Bill. The consequence would be, they would hold up this Bill as they did now the great mistake made by Mr. Pitt in the constitution of Canada—namely, the nominated council, the mischief of which was pointed out by Mr. Burke at the time, who said they could not make an aristocracy in the Canadas. There were not the elements. Now, were there the elements in Australia? Then why did they retain this anomaly? They retained it under the influence of persons behind them who wished to maintain power, and they designed to retain it by specious contrivances. The noble Lord had, on his own judgment, sent out a constitution to South Africa, and before twelve months were over they would have a legislative council in both the Canadas, in Nova Scotia, and in Newfoundland; in a short time they would have the same demand from Australia, and they would have to retrace their steps. He asked them to take at once that step which they knew in their hearts to be right. He saw the hon. Under Secretary for the Colonies present, but he did not wish to prefer a charge against him, for he, like his noble superior, was a tool in this matter. He was no more answerable for it than he (Mr. Roebuck) was. His mind had had nothing to do with it; and if his hon. Friend could make it out that it was his noble superior's, then he should think so much the worse of him. The people in Australia were exactly the same class of people as in South Africa, with this exception, that in South Africa they had two races—the Dutch and the English. Some of our own colonies had been penal colonies; but he believed that the nature and character of the convicts rapidly changed, and that they would find the people in New South Wales as moral and as well conducted as in any country that had not been a convict colony. And that being so, why had they two measures for the same set of people? Would his hon. Friend get up and tell him that the colonies desired it? Would he tell him that New Zealand desired it? or that Port Phillip desired it? No, he would only tell him that certain persons in Sydney desired it; and upon that ground alone had the hon. Gentleman justified this strange anomaly. In one colony he created two chambers, both elected by the people; and in the other he had one chamber, and put into it one-third who were nominees, not of the Crown—he would not so dignify them—but nominees of a clique. At the present moment the great receptacles for our emigrant population were South Africa, New Zealand, and South Australia. The people liked to go under British law. There was a feeling that Canada would not remain under it long; he was sorry for it; he wished to preserve it. There was a feeling growing up, that in going to Canada they would soon be under the United States, and would cease to be Englishmen. People might call it a prejudice if they liked—he was glad there was such a prejudice; but Englishmen would rather be under the protection of England, and, therefore, they preferred going to Australia and New Zealand. They were now making a constitution for Englishmen, and he wanted to know how his hon. Friend and his superior could justify themselves to the English people for making such a constitution as this? Because this was for ages yet to come, and over a tract of land as large as Europe. At this present moment he believed that South Australia, taking one colony only, was very near as large as France and Spain put together. He anticipated the time when these would be great nations; and why should they not, as wise and prudent legislators for the future, why should they not lay the broad foundations of justice and right, and not to do, as they had always done, except in the case of the noble Lord sending out a constitution to South Africa, endeavour to preserve a power which the right hon. Gentleman the President of the Board of Trade called the power of Crown, but which he (Mr. Roebuck) called the power of a clique? They had desired to do that, and for the purpose of doing that, they had done all they possibly could to prevent the improvement of the great body of the people. Compare the emigrants who went out from England to America, and their success, with those who went out from the United States further west, with their success. It was no answer to say that Englishmen had the Atlantic to cross. It was just as difficult for the Americans to take the land journey and cross the Mississippi, to Missouri and Arkansas, as it was for Englishmen to cross the Atlantic. If they compared the colonies of the United States with ours, they saw the real reason of the rapid success of the one, and of the deterioration, or rather slow success, of the other. He thought the noble Lord at the head of the Government read the other night certain figures as to the increase of the Canadas and of the United States. Let the noble Lord compare the separate States; let him compare Ohio with any portion of our colonies; let him compare any one of the free States, he did not say the slave States, with our colonies, and he would see why it was that our colonies did not show that prosperity that the colonies of the United States did. There was nothing so miserable for a traveller as crossing the St. Lawrence. On the one side he found a people not under a Colonial Office, but governing themselves. There was every improvement, rapidity of transit, exertion, law, peace, energy, success, activity, happiness. Let him cross the water, and every man was looking across the Atlantic to know what Downing-street should say. There was nothing of the activity on the other side of the water. The traveller asked himself, how is this strange contrast? Here we have as fertile a soil, as genial a climate, as sagacious a people, as on the other. So striking a difference could not, he observed, be believed on the wide globe, the difference being the more apparent from the identity of the sources of prosperity on each side of the river. Go from one canton in Switzerland, from a Protestant to a Catholic canton, and they might find some difference, but nothing like that of which he was now speaking. The grandeur, the magnificence, the spirit of commercial enterprise on the south border of the St. Lawrence, compared with the crushing, cruel misery of the other, was one of the most painful spectacles for an Englishman to witness. Now he wanted to ask the House not to cast this mildew into the other colonies. He entreated the House to curb and control that power which it was about to continue, and not to spread this terrible mischief over our colonial empire.

Lord J. RUSSELL: Sir, I think I never heard a speech marked by so many errors and mistakes, with regard to constitutional theories, with regard to history, and with regard to practice, as the speech just delivered by the hon. and learned Gentleman. He has called to our attention the Act which was passed for the separation of the two provinces of Canada; but I think the hon. and learned Gentleman could not have chosen a more unfortunate model than that Act to ask us to follow. Sir, the consequence of that Act was, that the Government of Canada, being divided into a legislative council named by the Governor, and into a popular assembly named by the people of Lower Canada, who were pent up in Lower Canada, and divided from Upper Canada, there was, for a long series of years, the most bitter dissension between the council and the assembly; and at length that constitution came to an entire stop, owing to the impossibility of making the two parties act together; and the result was, that even a sufficient number to form a House could not be collected in the popular assembly. And that is the model which the hon. and learned Gentleman wishes us to follow. [Mr. Roebuck: It was only for the logical precision with which the constitution was drawn that he had commended it.] With regard to the logical form, if we can provide a measure calculated practically to benefit the people, I think I would give up something in point of logical precision as regards language, for the sake of the substantial benefits of good government. The hon. and learned Member says, that at the commencement of this Bill various Acts are recited and referred to. I think that this is only a characteristic of this Bill, which is common to many other Bills. Nay, more, the hon. and learned Gentleman says it requires care, attention, and legal knowledge, in order to understand this Bill. Why, I don't mean to say that persons careless and inattentive will altogether be able to follow this Bill. Some care and attention on a Bill which is to govern a great colony, is surely not too much to ask. With respect to legal knowledge, I do not think it requires any more than that knowledge of the general principles of law with which most Members of this House ought to be familiar on matters of legislation. But then the hon. and learned Gentleman says, "After all, why is it that, in the substance of your Bill, you prefer a legislature which is formed of a single body, instead of having a legislature of two bodies, both of which shall be elected?" And the hon. and learned Gentleman says, "Surely Parliament ought to frame a constitution for the Australian colonies." He says, in substance, "Never mind what the opinion of Australia is—never mind what is said by New South Wales—never mind what their wishes are—but form a constitution according to your own notions of what theoretically must be right." Now, I think that is rather new language from those who have always asked us to give such a mode of government to the colonies as they wish to provide themselves. The hon. and learned Gentleman says, "Take a mode of government which shall be approved by the opinions of this House, and do not take any fanciful measure of our own." Why, this "fanciful measure of our own" is, in fact, the kind of constitution by which, since 1842, New South Wales has been governed. The hon. and learned Gentleman totally omits the fact with which we have to deal. He seems to assert that we come forward with a proposition for a legislature formed of a single body, entirely of our own invention, when we might refer to far better models and other institutions. And on this subject the hon. and learned Gentleman talks of the Colonial Office in the way that he and others like him talk of the Crown in this country. It is, in fact, the power of the Crown exercised through the Secretary of State, which is the only formal means by which the Crown can exercise power. The Crown now has the power, and always has had, in the colonies of this country which are not governed by Act of Parliament, and where there are no other stipulations otherwise to bind the Crown—the Crown has the power to introduce a council and an assembly as a mode of governing such colonies. Such has been the power of the Crown without at all referring to Parliament; and if I do not misunderstand the hon. and learned Gentleman, he proposes to dispute this power—to say that the Colonial Office (substituting the Colonial Office for the Crown) should no longer have this power, but that every constitution of a colony must in the first instance be settled by Parliament. But now as to the facts. They are—that in 1842, after a council nominated by the Crown, with the Governor, had been legislating for New South Wales, an Act of Parliament was introduced, which had been a good deal considered under the former Government, having, I believe, been introduced by Lord Stanley; and a Legislative Council was introduced, one-third of its members to be named by the Crown, and two-thirds by the people of the province. Well, if the people of New South Wales said, "We do not approve of this constitution; we wish to have two chambers instead of one, and desire that that change shall be made by Parliament;" these representations would be laid before the House, and the Committee of Privy Council, to whom this question was referred, would have seriously considered the mode in which such a constitution should be granted. Because, again, when the hon. and learned Gentleman talks of the Colonial Office, he altogether indulges his fancy on this topic. The clerks of the Colonial Office, to whom he alludes, although they do their duty with great ability, have not to decide questions of this kind, nor have they to be decided by the Secretary of State. He refers a question of this magnitude to the Committee of Privy Council. They make their report to the Government on the subject. It is considered by the Government, and then a measure is introduced. The colonists could not say we have maturely considered the question between a legislature composed of a single body and a legislature composed of two bodies, but they say that we have a legislature in which there is a large popular element, in which two-thirds of the members are elected by the people, and we should not like any change in the principle of that legislature until we have had ourselves an opportunity of considering such a proposal. Now that is all that we propose to adopt. We propose to give weight to the opinions of the colonists. We say we will listen to your opinions, and we will introduce among you a legislature similar to that which you have at present, giving more power to the legislature, but maintaining the principles of its constitution, and that will remain until you have maturely considered a different form of representation; and if you think of framing a better legislature, then that shall be considered in this country, and a favourable view will be taken of your opinions upon that subject. The Crown may give its assent; but that is the nature of the constitution of this country. In the case of South Australia, the Crown has proposed, by an Order in Council, to give that constitution; that is a power inherent in the Crown of this country, and unless the hon. and learned Gentleman proposes to take away that power from the Crown, it will remain the constitution of this country. But there are greater matters to consider. What we propose is, in the first place—a point on which the hon. and learned Gentleman did not dwell—to give to South Australia and to the new province of Victoria, legislative councils, which they had not before, Victoria being united with New South Wales, and South Australia having had a representative constitution before. But if we had to frame a second Legislative Council—to frame another house as it were—for Australia, it is very doubtful whether the Members of this House would frame at once such a provision with regard to the constitution of that second chamber as would meet with the approbation of the colonists of Australia. In the Cape, we have proposed that the election shall be vested in certain bodies, and among others certain persons holding offices under the governor of the Cape. I do not believe that similar offices exist in Australia; but if they did exist, it is not clear to me that the people of New South Wales and Australia generally would prefer such a body of electors to the single chamber which is now proposed; therefore we should have the risk of framing a constitution which did not suit their opinions, which did not meet their wishes, or else we should be obliged to resort to a measure which should be sent to Australia, and only upon the return of the reports from that colony a year hence should we be able to frame a Bill. Is it not a more rational and practical course—the Committee of Privy Council having framed a report in March last—that we, having introduced a Bill towards the end of the Session, and that report and Bill having gone out to Australia, and having met with the assent and approbation of the great majority of the colonists, now propose to carry out a measure founded on those principles, leaving it to be settled hereafter whether there shall be any changes in that constitution? The colonists might think that the democratic power would be more likely to prevail in a single chamber, two-thirds of whose members were elected, than if they had a separate chamber, composed of persons of greater property, or in any way likely to counteract the popular wishes of the colonists. For, supposing the single chamber to consist of 36 members, if the 24 elected by the people, or even less, voted one way, the nominees of the Crown would have no power to counteract their will; but, supposing there to be two chambers, and the popular assembly to be unanimous in favour of a particular measure, the other chamber would have a positive veto when the measure came before them. Now I am not saying it is not a better thing to have a constitution of two chambers, than it is to have a constitution with one. I think it is a better form of constitution to have two. I submit that we are certainly pursuing a course which is more in accordance with the different opinions of the colonists than that which the hon. and learned Gentleman proposes to pursue. There are other questions connected with this subject which are of no inconsiderable difficulty. It is a general principle of our constitution to adhere to a House of Lords and Commons, and it is said we should have in the colonies a governor, a council, and an assembly. But when the council is to be formed, it is desirable that that council should have a certain weight and authority—that it should be composed of persons whose experience or whose name will carry with it a certain degree of influence when its decision should come to be known. It is desirable also that it should act in some manner as a check, and that it should not be merely the echo of the popular representation which is to form the basis of their power. Now, between those two difficulties the task is by no means easy. In several of our colonies the Legislative Council has had little weight, because it did, in fact, consist of persons nominated by the Crown, and who had no authority, except as being nominated by the Crown, when they went into that assembly. On the other hand, the persons forming the Legislative Council should not be nominated merely because they are likely to agree with the representative body, and should be elected to keep up the harmony with the representative portion of the council. That is a considerable evil. In an ancient society like this, with all the advantages of great achievements, of great properties and of historical events, you would get over the difficulties which I have stated. In a country like the United States of America, consisting of a very large population, where you have the means in the different States of finding men of great capacity and experience from their youth in the modes of legislation, you have the means of forming a Senate. A Senate formed of such materials in the United States is uniformly respected in those States, and throughout the world. There the problem may be solved ; but it is not easy at once, pointing to a given colony, to show at the same time how two chambers may be formed to have authority and influence with the Government. If it can be formed, they should point out to us how it can be formed, and how those conditions can be fulfilled which shall have all the authority and independence that may be required. We propose, therefore—and that is the general principle of the Bill—to continue in New South Wales, and to introduce into other parts of Australia, that form of constitution which was introduced by the Act of 1846. We do not imagine that we are forming a constitution for all time, but we do say, we are continuing a constitution against which we do not hear any loud remonstrance. The hon. and learned Gentleman, at the end of his speech, pointed out what was the difference between Canada and the United States, and attributed to that bugbear, the Colonial Office, all that was defective in Canada, and all that contrasted with the freedom of the United States. I do not know in what respect the United Provinces of Canada are not as free as the States. It is true that they do not elect their own governor. On the other hand, with regard to their tariffs, and several other subjects—with regard to the duties on customs which are imposed—they have far greater liberty than the United States have, and are more at liberty to pursue their own course. I believe the dissensions which have prevailed in Canada for many years have been a great obstacle to their progress. I believe that the unfortunate difference made on the suggestion of Lord Granville between Lower and Upper Canada, was the cause of the slow progress made by one province as compared with that of the other ; the navigation of the St. Lawrence had been prohibited by the jealousies and dissensions prevailing between the two provinces ; and the shutting up the French people in one province, and allowing the British race to flow into the other, had been an extremely injurious course. Whatever the cause, they have now freedom of constitution, a great increase of wealth, as shown by the imports and exports, an increase of population, and a prodigious increase in the amount of property assessed in those colonies. What was there, then, to prevent those provinces making as great progress —not as the newly-formed States belonging to the United States, for that would be altogether an unfair comparison—but as any of the American States which had been settled an equal time with that province ? If so, the hon. and learned Gentleman's objection to the interference of the Crown was altogether misplaced ; for there was no need of waiting for communications from Downing-street with respect to any measure which the Canadians thought necessary for their own internal benefit ; to no such measure would the Secretary of State for a moment hesitate to give his approbation when it was required. But the greater part of the questions arising in the Canadian legislature were, in fact, settled by the people of Canada themselves ; and the Secretary of State and the Colonial Office, of which the hon. and learned Gentleman has so much horror, said nothing at all, and in no way interfered, to prevent the execution of whatever the colonists thought best for themselves. I look with confidence to the support of the House to the second reading of this Bill. It has been formed with considerable care, after knowing the general opinions entertained in New South Wales, and having gone out to New South Wales, it has been approved of there. The House would do unwisely to throw away a Bill of this kind for the purpose of framing a constitution on their own notions, which might be found unpalatable to the people of the colony. And, lastly, on the principle of allowing the people to govern themselves, this Bill is more consonant with that principle than the scheme of the hon. and learned Gentleman, who, in stating the history of the colony, and misrepresenting the constitution of this country, sought to induce the House to set aside the opinion of the colony, and to legislate on some unsatisfactory notion of his own.

Mr. FREDERICK PEEL hoped he would find an apology for addressing the House in the importance of the measure then under discussion. That importance was drawn from the circumstance that the Bill proposed not only to establish political institutions for five separate and distinct colonies, sharing between them nearly all the existing settlements in that great tract of country, Australia, but also to found a federal union between them for the management of their inter-colonial concerns. To the greater part of the measure he had no objection to offer. He approved of the separation of Port Phillip from the colony of New South Wales. He thought it was wise, in the existing state of feeling in the colonies, and jealousy of all interference, to allow the legislative council in these colonies to alter by Act the charges on the civil list, with the single exception of the governor's salary, without rendering it necessary that that Act should be reserved for the signification of the Queen's pleasure before it came into operation. He thought it was wise, too, to introduce provisions for cancelling those corporate institutions under the management of district councils, which had been created by letters patent, issued under the Constitutional Act of New South Wales, and which had excited discontent, and appeared to be unsuited to the wants and wishes of the colonists. But it was what he conceived to be the main principle of the Bill which had his hearty approval—he meant the recognition of popular representation as an indispensable element in the form of colonial government. His opposition was pointed against the organisation of the legislative assembly. He owned to a predilection in favour of a double chamber. He should like to see the legislative power shared by two distinct and independent branches, each exercising a control over the other, and each having a negative upon the other's proceedings. His ideas and sentiments on that subject were grounded not only on general political reasoning, but also upon the uniform sanction which experience had given to the conclusions of abstract theory. The policy of a division in the legislative body was something more than true only in the region of thought. History and the experience of this country had made it a great practical truth; but it was a truth which it was unnecessary for him to demonstrate, because it was admitted and conceded by the noble Lord himself, and, he (Mr. Peel) believed, in the report which was framed by the Committee of Council. The noble Lord said he should have proposed to Parliament the adoption of a double chamber, but for one consideration, and that was, that the colonists had clearly expressed and recorded their wishes in favour of a single chamber.

Lord J. RUSSELL begged the hon. Gentleman's pardon, he did not say so.

Mr. F. PEEL thought it at all events to be so stated in the report of the Committee of Council, upon which this Bill was acknowledged to be based. If that was so, he (Mr. F. Peel) approved of the wisdom of the course which had been taken. He did not think they should be justified in legislating on any abstract notions, or upon general reasoning, or even upon the conclusions of historical experience, against the expressed wishes or the peculiar circumstances of the colonists. But he could not so readily admit that the colonists had expressed their wishes on this matter in that clear and unmistakeable way which would alone justify in his mind a deviation from the usual type of colonial governments. The opinions of the colonists of New South Wales might be collected from four distinct sources: from themselves, in their public meetings; from their organ, the legislative council; from the executive council; and from the Governor of the colony. With respect to the sentiments of the people of New South Wales, so far as they could be collected from the resolutions arrived at in their public meetings, he thought it was in the middle of the year 1847 that Lord Grey first communicated in a despatch to the Governor of New South Wales his proposition for remodelling the constitution of the colony. That scheme met with great opposition, and excited much discontent. It undoubtedly contained a proposition for dividing the legislative body into two branches; but it was not against that part of the scheme that the indignation of the colonists was directed. It was against that portion of it which proposed to place the legislative council and the district councils in the mutual relation of representative and constituent. It was to that portion of it which proposed to deprive the colonists of the franchise they then enjoyed, and reduce them to the condition of mere primary electors—to give them only a right of electing the district councillors, by whom again the representatives in the legislative council were to be nominated. He ventured to say that in no petition, contained in the papers which had been laid on the table of the House, was there any opinion expressed adverse to the legislative authority being shared by two chambers. The burden of complaint in every petition was the attempt to deprive them of their legislative franchise; with one single exception, he thought, that was so. If that was the case with the people, so far as their sentiments could be collected from their public meetings, how did the matter stand with their organ—the legislative council? The legislative council was not in session when Lord Grey's despatch arrived in that colony; but no sooner did the legislative council meet than they resolved themselves into a committee of the whole house, for the purpose of arriving at a certain resolution upon the subject-matter of that despatch. The resolution was put to the vote, after considerable discussion, and was carried by, he believed, a small majority, in a committee of the whole house. It was not, it was true, reported, and did not, therefore, appear on the records of the proceedings of that house; but he was justified in saying that the legislative council came to that resolution by a majority in its favour. It was resolved—

> "That this council is disposed to view favourably the proposition of separating the deliberations of the nominees of the Crown from those of the representatives of the people."

With respect to the opinion of the executive council, he believed they were unanimously in favour of a division of the legislative body—at least, they all voted in favour of that resolution which he had read to the House. And with respect to the opinions of the governors of the colonies, justly entitled to great weight, because expressed in a very unqualified manner, he would read to the House the opinions of the Governor of New South Wales, and of the Governor of Van Diemen's Land. The Governor of New South Wales said—

> "My own opinion, confirmed by that of the most experienced and unprejudiced persons who have watched the working of the present constitution of the colony is, that the assimilation of the constitution of this colony to that of the older British colonies, where distinct legislative bodies exist, would be generally considered to be extremely advantageous to its interests."

With respect to the Governor of Van Diemen's Land, he said—

> "Without, therefore, wishing or presuming to give an opinion on the general question of the best form of legislative body, I may say that, under the peculiar circumstances of these colonies, I should most strenuously recommend the adoption of a second or upper chamber."

So that to whatever source of public opinion he looked, he could not say he found any opinion adverse to the dividing the legislative authority between two bodies; and, believing that that policy was approved on general reasoning, and that the truth of that general reasoning had been demonstrated by experience, and not finding either in the circumstances, or character, or in the wishes of the colonists, anything which would make him believe that any form of government other than that which had been usually applied to the colonies of this country, would be better fitted to the people of Australia, he could not but think it would be advantageous to them that the legislative authority should be shared between two bodies. These considerations were, he thought, equally applicable to the structure of the General Federal Assembly. But there was one other consideration connected with this part of the case to which he would briefly advert. The federal union should represent the interests of the States as collective bodies, and the interests of the inhabitants of those States as individuals. So far as the first class of interests were in question, each State being as independent and sovereign as another, should have an equal representation in the Assembly; but, so far as the second class of interests was concerned, that State which was most populous should have a preponderance in the number of its representatives. He could not but think that if the link of connexion which it was proposed to establish was to be permanent, it would be necessary to place a constitutional barrier against the encroachments of the one State against the other; and that that would be best secured by requiring the representatives of the States to sit in one chamber, and the representatives of the inhabitants of the States in another. He was obliged to the House for the attention with which it had listened to him. He took, indeed, some interest in this question. He believed it was the destiny of the people of Australia to increase and spread themselves over that great continent. He believed that they had sown there the germ of future nations, and that what was now an unproductive waste, would be, at no distant day, the site of thriving communities. And being firmly persuaded that the form of colonial government would exercise a very powerful influence upon the maturity of that country, which was now in its infancy, he did hope the House would stamp on that form of government the impress of the British constitution, and would enable the colonists to enter upon that career which lay open before them with all the advantages in the way of political institutions which it was in the power of the mother country to confer on them.

Sir W. MOLESWORTH said, it appeared to him that it would be wise policy on the part of this House unanimously to assent to the principle of this Bill, and to show to the Australian colonies that they were anxious as speedily as possible to give them the benefit of representative government. Therefore, in his opinion, it would be better to offer no opposition to the first stages of this Bill, but that all questions concerning the form of government, and the powers to be delegated to the colonial authorities, should be carefully considered in Committee. He thought, however, if this course be adopted, it was not too much to ask the noble Lord at the head of the Government, and the noble Lord should consent to give, full opportunity to discuss the details of this measure, and to propose amendments to it. Did the noble Lord assent to this? If so, it appeared to him (Sir W. Molesworth) that before the Bill is discussed in Committee, the noble Lord should alter its shape and form. For in its present form many of the most important questions with regard to the government of the Australian colonies could not be directly raised upon the clauses of this Bill, but only indirectly by reference to the clauses of a former statute upon which this Bill was founded. The noble Lord's Bill was founded upon the constitutional act of New South Wales, 5 & 6 Vict., c. 76. The Bill first repealed one portion of the Act, then continued another portion of it, then altered and amended a third portion of it, then added several new clauses, and then applied this statute, so altered and amended, so curtailed and augmented, to the separated colonies of New South Wales and Victoria, and to all the other Australian colonies. Certainly, in its present shape and form, it was a confused Bill. It was not possible for an hon. Gentleman to understand it, unless he had previously almost learnt by heart the Constitutional Act of New South Wales. On the other hand, if he began by reading the Constitutional Act, he could not tell what portion of it was to continue to be law till he had carefully studied the Bill of the noble Lord. Therefore, if an hon. Member wished to make himself acquainted with the details of the noble Lord's measure, he must go backwards and forwards from the Bill to the Constitutional Act, and from the Constitutional Act to the Bill. For instance, suppose an hon. Member wished to ascertain what were to be the powers of district councils, he would not find them in this Bill, but he would find sundry clauses which would refer him to the Constitutional Act; in that Act he would discover numerous clauses about district councils, one of which would appear to him to be utter nonsense, and then he would have to return to the noble Lord's Bill to ascertain whether that incomprehensible clause was or was not to be repealed. Again, suppose an hon. Member wished to ascertain what is to be the elective franchise in the colony, say of Van Diemen's Land. He would not find it in this Bill. He would find in Clause 6, that the present legislature of Van Diemen's Land "may reduce the minimum value of land required to confer the right of voting." He would then naturally ask where was the amount of this minimum value to be found? and the clause would answer, in provisions not specifically contained in this Bill, but "hereinafter by reference contained" in it. He would then proceed to search for these "hereinafter by reference contained provisions," and would find in Clause 11 that this expression meant certain provisions of an Act of the sixth year of Her Majesty, as altered and amended by an Act of the eighth year of Her Majesty, and after having carefully read through both of these statutes, he would arrive at this result, which might be stated in a few words—namely, that the legislature of Van Diemen's Land may fix the minimum value of land required to confer the right of voting at any sum not exceeding 200*l.* It would be easy to multiply instances of this kind. But his chief objection to this Bill was, that it would not offer fair opportunity to discuss some of the most important questions of colonial government. Neither the question of the amount of the franchise, nor of the amount of the property qualification of members, nor of the duration of colonial parliaments, nor of the power of the governor to reserve bills, nor of the power of the Colonial Office to instruct the governor, nor of the power of the Colonial Office to disallow Bills—not one of these important questions would be directly raised by this Bill, but only indirectly, in the 11th clause, by reference to the Constitutional Act of New South Wales. Consequently it would be very difficult to take the sense of the Committee on these questions. Therefore, if the noble Lord be willing that hon. Members should have a fair opportunity to discuss the details of his measure, and to offer amendments to it, he should consent to alter the shape of his Bill; he should consent to consolidate it with the Constitutional Act of New South Wales, and the two short Acts which amend and explain the Constitutional Act—that is, the noble Lord should propose to repeal those three Acts, and should introduce into his Bill clauses re-enacting in full such portions of those Acts as the noble Lord wishes to have re-enacted. Then, all questions with regard to the form of government, with regard to the powers to be reserved to the Colonial Office, or to be delegated to the colonies, would be brought under the consideration of the Committee in a clear and distinct manner, and each question, as it would arise, would be discussed and easily settled. The convenience of such a mode of proceeding was self-evident. It might, however, be said, that such an alteration in the form of the Bill would cause delay in going into Committee: but he thought it need not do so; for he believed, in one day, with the aid of a learned gentleman skilled in drawing bills, the alteration proposed by him in the shape of this Bill might be easily made. Then they should have a Bill which could easily be understood and discussed, and, if it were passed, would not, on account of its form, be an opprobrium to their legislation; for if it became law in its present shape, the constitution of the Australian colonies would not be contained in this Bill, but might be described as being contained in an Act of the 10th year of Her Majesty, for the Government of the obsolete colony of New South Wales, as cleared of doubts by an Act of the 8th year of Her Majesty, as amended and explained by another Act of the same year, as partly repealed and partly amended, augmented, and applied to all the Australian colonies by an Act of the 14th year of Her Majesty. He asked the noble Lord to consider this subject. He did not ask him to make any alterations in the details of this measure, but merely in its form, in order that they might have fair opportunity to discuss the details in Committee, and to propose amendments. The right hon. Gentleman the President of the Board of Trade had stated that the principle of the Bill was, that the Australian colonies should have power to frame their own constitution in the manner they thought best. He (Sir W. Molesworth) completely agreed in that principle. The real question for the House to decide was, not what was theoretically the best form of government, but what was the form of government with which the colonies would be best satisfied. It appeared to him that they did not possess that intimate acquantance with the affairs of the colonies which would enable them to judge what was the form of government best suited to their wants and interest; and if they let the colonists frame their constitution in the manner they thought best, they would have themselves to blame, and no one else, if it proved unsatisfactory. Though he agreed in the proposition which had been so clearly laid down by the right hon. Gentleman the President of the Board of Trade, and agreed also in the observations of the noble Lord at the head of the Government, he was very far from agreeing with them as to the mode in which it was proposed to carry out the principle of his measure. Let him, by this Bill, enact that the governor of each colony should, in a certain period of time, convene a constituent assembly elected by the people of the colony, and delegate to that constituent assembly the power to frame their own constitution, limiting that power afterwards to whatever extent he thought proper. That was the mode and manner to carry out the principle of this measure. The more he considered the clauses of this Bill, the more certain he felt that it would fail to give permanent satisfaction to the inhabitants of the Australian colonies. In support of this opinion, he would call the attention of the House to certain new resolutions which Mr. Lowe, a distinguished member of the legislative council of New South Wales, gave notice that he would move on the 14th of August last. [An Hon. MEMBER: They were withdrawn.] They were withdrawn; but Mr. Lowe said they were so withdrawn, not because he or his friends had changed their opinion, but for other reasons. The fact was, that intelligence having been received from Canada of the disorders there, the spirit of loyalty, which he was proud to say at present exists in New South Wales, induced the friends of Mr. Lowe to advise him not then to bring forward the matter, lest it should embarrass the Government. These resolutions were to the effect that no form of constitution for the colony of Now South Wales would be acceptable, permanent, or beneficial, which did not embody the following requisites:—

"1. An explicit recognition of the right of the colonists of New South Wales to have their government administered by persons responsible to their representatives. 2. A government removable by the vote of the colonial legislature, and invested with all colonial patronage. 3. An elective assembly, in which no person nominated by the Crown shall have a seat. 4. The placing the sum of 81,000*l.*, contained in the schedules A, B, and C, appended to the Act 5 and 6 Victoria, c. 76, together with expenses of the customs department, at the disposal of such assembly. 5. The repeal of the Act 5 and 6 Victoria, c. 76, and the transfer to the local government and legislature of the management of the waste lands of the colony and the revenue derived from them."

And if these concessions were made, Mr. Lowe proposed also to move, that—

> "In consideration of them the colony of New South Wales would be willing to pay for such military force as, in the judgment of the Colonial Assembly, might be necessary for its protection in time of peace."

Now the Bill of the noble Lord did not contain any one of those conditions without which Mr. Lowe said that no form of constitution would give permanent satisfaction to the colonists of New South Wales. He was persuaded that Mr. Lowe's assertion would prove true with regard to all the Australian colonies, and that no assembly would be acceptable to those colonies which should contain members nominated by the Crown. Of still greater importance was the question of the powers to be exercised by the Colonial Office. He was convinced that if we wish to frame a measure which should remove the great and fundamental causes of colonial discontent, we must deprive the Colonial Office of its present power of interfering in the internal affairs of the colonies. A good illustration of the present vexatious power of the Colonial Office had been lately brought under his notice, which he would mention to the House. For some time the inhabitants of Sydney, a city of some fifty thousand souls, have been complaining of the practice of slaughtering beasts within the precincts of that city—a practice which, in that warm climate, they consider to be an abominable nuisance, and injurious to their health. They were, therefore, anxious that the slaughter-houses should be removed; and on the 31st of May, 1848, a select committee of the legislative council recommended that the slaughter-houses should be removed to a place called Globe Island, and that to pay for their removal certain lands upon which a cattle market stood should be sold. Now it appears from the *Sydney Herald*, of the 22nd of September, 1849, that up to that date the nuisance of the slaughter-houses had not been abated, and would not be abated for at least a year more; because, according to the statement of the colonial secretary of New South Wales, the sanction of the Secretary of State for the Colonies must be obtained before the recommendation of the committee could be attended to; and with the utmost despatch that sanction could scarcely be obtained in less than a year. Thus, for more than two years, a city of 50,000 inhabitants, in a semi-tropical climate, will be exposed to the fevers and other disorders arising from the putrefaction of animal matter, because it could not sell or buy a plot of land without the consent of functionaries at their antipodes. They might be assured that every noxious odour that arose from the slaughter-houses of Sydney was a germ of hatred to the Colonial Government. Now, was it necessary for the interest of the whole empire that the Colonial Office should retain powers of this description? He maintained it was not; and that as long as the Colonial Office had an arbitrary power of interfering in the local affairs of the colonies, there would be perpetual discord between the colonies and the Colonial Office. The only mode of removing this cause of discord was by strictly limiting the power of the Colonial Office to questions affecting imperial interests. He knew some hon. Members would exclaim, "If we deprive the Colonial Office of its power, what will remain? what will become of the connexion between the colonies and this country—the colonies will be separated from the empire?" Now, it appeared to him that in the minds of some hon. Gentlemen there were grave errors and a great confusion of ideas on the subject of what constitutes, and ought to constitute, the connexion between the colonies and this country. From old associations and ancient prejudices, some of them were apt to look upon the colonies as subject communities—that is, as communities subject to the British communities; therefore to look upon themselves as kings, and the colonists as subjects, and to consider that the connexion between the colonies and this country consisted in dominion on our part, and subjection on theirs. Therefore they thought, to preserve that connexion, it was necessary to rest that dominion in some department of the State; in short, that the power of the Colonial Office bound the colonies to this country, and that the Colonial Office was the connecting link, which would be broken asunder if the Colonial Office were to be deprived of its present power. He maintained a diametrically opposite doctrine—that the Colonial Office was the institution which tended to alienate the colonies from this country; that in proportion as the power of the Colonial Office was curtailed, the union between the colonies and this country would be strengthened, for with the destruction of the arbitrary power of the Colonial Office the colonists would cease to be subjects of that office, and would become true citizens of the empire. They ought to look upon their colonies, properly so called, as integral portions of the British empire, inhabited by men who ought to enjoy in their own localities all the rights and privileges that Englishmen do in England. Now, the colonists had no right to interfere in the management of local affairs in Great Britain, and they ought not to interfere in the management of the local affairs of the colonies. They were entitled to reserve to themselves the management of the common concerns of the empire, because imperial power must be located somewhere for the maintenance of the unity of the empire. And here he must say that it would tend much to consolidate the empire if they could admit into the Imperial Parliament representatives from the colonies. That was a subject well worthy the consideration of statesmen.

Mr. ANSTEY considered that, in discussing this question, they should not refer to the opinions of governors, but should refer to the opinion expressed in public meetings of the inhabitants of New South Wales, the only Australian colony in which this experiment had been tried. That opinion was unequivocally spoken against a single chamber composed in part of elected representatives, and in part of nominees of the Crown. The last papers from that colony brought an account of public complaints of the attempt to reintroduce into that colony British convicts; and Mr. Lowe, at a meeting on the subject, declared, amidst the applause of the thousands that surrounded him, that no confidence could be placed in the Legislative Council so long as one single Crown nominee was allowed to sit in it; and he said the nominees of the Crown were so despised by their brother members, that it was difficult to get for them a fair share of the courtesy of the house. The experiment had been tried, and he must say it had resulted in a sense unfavourable to renewal of that experiment; yet the noble Lord at the head of the Government now proposed to extend the same plan to all the colonies in Australasia. He would suggest to the noble Lord that he should leave to the provisional councils, which were more likely to be biased in favour of the Crown than of the democratic element, the power he proposed to give them, but without control. He might be sure they would not use it in a sense too favourable to the people, and that they would make the franchise high enough. For his own part, he should have much greater confidence in the decision of an aristocratic assembly so constituted, than in the decision of an assembly composed of popular representatives and nominees of the Crown.

Mr. MANGLES gave his very cordial support to the measure brought forward by the Government, because he was persuaded they had a sincere intention to give free institutions to those colonies that are in a proper state to receive them; but at the same time he could not conceal from himself the fact that they had made a great and serious mistake in the measure they proposed, so far as it regarded the constitutional chambers, and he believed the reasons they gave in support of that proposition were founded on a serious fallacy. It was said that the people of New South Wales had given their sanction to one chamber; but his opinion was, that they never had the opportunity of making the selection, or thought that two elected chambers were attainable. Would they be satisfied when they heard that two chambers were given to South Africa? He was sure they would most willingly accept a similar constitution. He thought there was a great fallacy running through all the analogies that had been drawn in reference to this measure. It was assumed that the House of Lords were the nominees of the Crown. They might have been at some remote period nominees of the Crown, but they were now no more nominees of the Crown than any other Gentlemen around him. And in what a different situation they stood from the gentlemen nominated by the Governor of Australia to the Legislative Council, who held their offices for five years only, and were removable at the end of those five years entirely at the pleasure of the Crown. He did not wish that the House should throw out this measure, because he considered it to be a large step in advance.

Mr. HUME said, that the question now before the House was, whether they would read the Bill a second time, or postpone it till they received further papers. He was against any postponement, because he was anxious that the Bill should pass as speedily as possible, though he should endeavour to amend the blots it contained. He considered the measure to be a healing one, and as one tending to preserve the colonies. He valued this Bill, not for what it gave, so much as for what it gave the means of obtaining. The Bill was clumsily framed —but still he thought it a good measure, and hoped it would be speedily passed. To make the colonies useful and effective, it was absolutely necessary to give them elective government. Much as was the benefit derived by Canada from responsible government, the want of an elective council was felt to be a great drawback. He had received a letter from a gentleman in Van Diemen's Land, dated 1849, who said that their case there was desperate—that they were depending entirely on the House of Commons—that they only wanted the power of managing their own affairs, of appointing their own officers, and expending their own money, and that if that power were given them they would readily consent to contribute to the expense incurred for protection. He (Mr. Hume) did not fear any evil result from a spirit of democracy. He believed, on the contrary, that if our colonies were fairly treated, that we need have no apprehension whatever of their separation from British government, for they were fully impressed with a conviction of the advantages they must derive from the connexion. On this point, although he regarded the present measure as an immense advance, he relied more upon the words of the noble Lord and the Under Secretary for the Colonies, and felt satisfied, from what they had said, that the Government did intend to give responsible government to our North American colonies, which were still without it; and that if those colonies did call for a second chamber they should obtain it. There, was, however, an exception made in this Bill, which he objected to, as calculated to create much discord—he meant the money for the Church. Now, these colonies had ample means from land to meet their wants in that respect; and as certain as he stood there, it would form a bone of contention. Another reason why he wished the Bill should pass was, as a friend to voluntary emigration, which had been obstructed to an extent scarcely credible by the want of proper government in our colonies. Out of 34,000 persons who had emigrated to New Zealand, only 20,000 remained, the rest being so disgusted that they left and proceeded elsewhere. On the whole, he rejoiced in the measure as a means for rendering our dependencies so many great advantages, instead of being sources of embarrassment and difficulty to the country; still there were some imperfections in it which he hoped the Government would allow to be remedied in Committee.

MR. HAWES said, that he would venture to anticipate that the present debate was one which would give great satisfaction to the colonies. The desire which had been manifested from all parts of the House to frame—whatever the differences of opinion among hon. Members on other subjects—constitutions satisfactory to the colonies, could not fail of giving satisfaction to the parties concerned. One of the objections which had been urged against the Bill was, that it proposed to establish a form of constitution in the colonies, not exactly similar to those generally existing, and not in exact accordance with what had been called the British constitution. Now, upon the subject of the double chamber, with respect to which this objection had mainly arisen, hon. Members would find that, if they took the report of the Committee of Privy Council, the opinion of Ministers of the Crown, the governors of the colonies, and even many of the colonists themselves, there would be found to be a general concurrence of opinion in favour of the double chamber. He was perfectly ready to make that admission, and those who differed from him in opinion might take the full benefit of that admission. Well, then, it might be asked, why had the Government departed in the present Bill from the usual form, especially when there was such a unanimity of opinion in favour of the double chamber? The answer was to be found in the fact that, in order to make any alteration in the existing constitution of the colonies, it was necessary that the representatives of each colony should be first consulted on the subject. The people of New South Wales were content with their present form of government, and the legislature of that colony had formally and authoritatively requested that if any alterations were made in their constitution, they should be first consulted upon the subject; and it was absolutely essential, before making any change in that constitution, that they should be consulted. In the case of the

Cape of Good Hope, there was no legislative system in that colony, and nothing, consequently, to prevent the Government from adopting at once, and completely, the recommendations of the Committee of Privy Council. The Committee of Council had laid down the outlines of the constitution, leaving them to be filled up by the colonists themselves. There was nothing, therefore, to prevent the Government from carrying out that recommendation. With respect to New South Wales, the case was entirely different. Were they prepared to force upon that colony a double chamber, without their consent having been previously obtained? No consent had been given, and no complaints had been made, of the existing form of government there. Parliament, therefore, were justified in saying to that colony, "your constitution having given you satisfaction, and you having made known to the Crown that you did not wish any alteration to be made without your being previously consulted, and no opportunity having been afforded for consulting you upon the subject, we do not propose to make any alteration in your existing constitution, but the power will be conferred upon you by the Bill of making the alterations yourselves, if you should wish to do so." There was, therefore, no necessity whatever for forcing this double chamber upon them. If they wished for such a form of constitution, they would only have to exercise the constitutional powers given under the Bill, in order to obtain the required change. If the House intended to give to these colonies the double chamber, they would of necessity greatly retard the progress of the Bill, as it would be necessary first to obtain the opinion of the colonial legislatures upon the subject. A great deal of time, too, would necessarily be lost in obtaining the requisite information from the colony. For instance, it was not at present known whether there existed in the colony of New South Wales the materials for a second chamber. He believed that there did exist these materials, but he had nothing like tangible grounds for the formation of that opinion. There was no reason which he could assign for his having come to that conclusion, except that it was a thriving, prosperous, and highly-intelligent colony. It was, in his opinion, highly desirable that no unnecessary delay should take place in passing this Bill; and, seeing that it provided the means for obtaining the double chamber, in cases where it might be required, he trusted that no unnecessary delay would take place. It had been urged that there was no security for the colonies obtaining this double chamber, even if they desired it, as the influence of the Crown nominees would stand opposed to such an alteration. There was, however, no ground for coming to such a conclusion, because the Crown nominees, knowing the opinions expressed by the Ministers of the Crown to be in favour of the plan, they could not be supposed to place themselves in the position of preventing its being carried into effect. As to the provision for the Church, the New South Wales Church Act which now existed gave pretty general satisfaction; and this Bill created nothing new in this respect; it simply respected existing rights, and left the arrangements as they now stood. Notwithstanding all the criticisms which had been made upon the Bill, he believed that it would be found most acceptable to the colonies, and would also be found to work well. From all the colonies, from the newspaper press of the colonies, and from communications which he had received, and the deliberate opinion of one of the colonies itself—South Australia—there had been a general opinion expressed in favour of the Bill as it then stood, and he believed it would be the height of imprudence to attempt to alter the principle upon which the Bill was framed.

Mr. V. SMITH said, that he thought by this time the subject had been pretty well threshed out. But, after the speech which they had just heard of the hon. Member the Under Secretary of the Colonies, he was really at a loss to know what it was they were discussing. The whole of this debate had originated upon a single clause of the Bill, and he certainly had never before heard of a debate upon a single clause of a Bill upon which everybody was agreed, or rather upon which everybody agreed. The hon. Member the Under Secretary of the Colonies had stated, that the governors of the colonies, Her Majesty's Ministers, and, indeed, everybody, was in favour of a double chamber. Then, why not let them have a double chamber? They were about, in spite of all these unanimous opinions in favour of a double chamber, to vote them a single one. But what was the defence put forward by the Government for this conduct? It was, that the present constitution had given satisfaction to the colonies. How had that satisfaction been expressed?

From three of them there had been no such satisfaction expressed, because such expression must come from the representatives, and they had no representatives. From New South Wales had the only expression of satisfaction been heard. And that satisfaction was founded upon the experience of seven years, being exactly the duration of one Parliament in this country. It was upon that experience that they were about to legislate for the whole of the colonies. Some allusion had been made to the popular feeling expressed on the subject in the *Sydney Morning Herald;* but that expression of feeling was made with respect to a totally different measure. They preferred, no doubt, the constitution which they then possessed to the one that was offered; but if they had been offered something better, no doubt they would have gladly accepted it. He did not attach any weight to the argument made use of, that any alteration in the Bill would involve delay. A year's delay was not to be thought of when they were deciding upon the constitution of a number of important colonies. He regretted that the Bill had not been brought forward in a more simple form, and with more of the appearance of a model Bill. If that debate did not go out to the colonists along with the Bill, to explain the intentions of Parliament, they would think, from a perusal of the Bill itself, that it contained the only constitution that was intended to be given to them. But how would such a chamber as the proposed one operate? In times of popular tumults and excitement, those officials would be unable to stand out against the pressure of the popularly elected representatives; whilst in times of tranquillity, and when the popular mind would not be much worked upon, so as to compel the representatives to act together, the officials would have everything their own way. There was one other important question involved in the Bill, that of federation. He should say that he had not heard from his noble Friend at the head of the Government, or from his right hon. Friend the President of the Board of Trade, or from his hon. Friend the Under Secretary for the Colonies, a single valid argument in favour of the proposed federation. For such a principle there was no parallel—no satisfaction expressed by the colonists—no experience to which they could appeal. Why, then, did they adopt it? It appeared to him to be exactly what they did not want in Australia. The principle of federation in the United States of America had been adopted for the purpose of dealing diplomatically with foreign States, which it certainly was not intended to give to the Australian colonies the power of doing. It appeared to him to be establishing a new principle that was totally uncalled for. The federal system was a republican institution; and he was not one of those who wished to see England establishing republican institutions all over the world. As to the question of one or two chambers, he hoped the hon. Baronet the Member for Southwark would introduce in Committee the principle of the double chamber; and their object should be to give the best possible constitution to the colony. And such being their object, he had hoped that the debate would have been allowed to go on without an attack upon the Colonial Office. Some allusions, however, had been made to it and its influence, and he regretted to hear the hon. and learned Member for Sheffield again introduce his allusions to an invisible agent. He wondered who the invisible agent was. Formerly Sir James Stephens was always understood to be the invisible agent. But he regretted the hon. and learned Member for Sheffield was not then in his place to explain to the House who the new invisible agent was. There were two important points still left untouched—the military expenditure of the colonies, and the question of transportation of convicts. He regretted there had been no further debate upon them. When the estimates came on they would be told that that was not the time to discuss so large a question as the military expenditure of the colonies; and the question of transportation had been but partly discussed by the hon. Member for Stafford when he took the House away from its consideration to other topics. The colonies cost this country about 3,500,000*l.* a year. [Lord J. RUSSELL: How much does Great Britain cost?] Their cost to this country was enormous; and if it could be shown that they could be governed and kept for less, it was the duty of the House, as conservators of the public purse, to set about reducing the expenditure. Now, with proper representative institutions, many of the colonists thought that they could bear their own burdens entirely; and many persons in England thought so too, and that with self-government they could manage also self-defence. As to the question of transportation, the people of this country were looking with great anxiety to know what Parliament was going to do with the convicts. He had been greatly struck by a letter signed " H. Denison," which he had seen in the public papers. That gentleman pointed out that the convicts had no chance of redeeming their characters in this country. The only chance of reclaiming them was the sending them to a colony. The colonies were calling out for labour. And although he (Mr. V. Smith) did not think that they should be overwhelmed by an influx of convicts, which might disgust them, he yet thought that a considerable number might be sent out who would both be serviceable to the colonies by giving them labour, and stand a better chance of being reclaimed from their evil courses than if they were suffered to remain at home.

Mr. ADDERLEY would offer but a very few observations to the House, as the arguments seemed to have gone so much one way. Almost every one seemed to be agreed that the grounds for giving only one chamber to the colony were insufficient. The hon. Gentleman the Under Secretary for the Colonies stated that there were two reasons for giving this new form of constitution of a single assembly, which had induced the Government not to give way either to their own wishes or to the arguments of others: and those two reasons were, that it was the wish of the colonists to preserve their existing form of constitution; and that it was necessary to have a representative basis. Now, the question of the express wishes of the colonists had been disposed of. It had been set aside. And, if he were allowed to quote two passages from a book that was before the House, he would show that there had been an entire misconception, on the part of Her Majesty's Government, of some of the information which they had received. In the report of the Privy Council, dated 1st May, 1849, it was said that—

> "Custom appears to have attached the colonists to a single chamber; public opinion in New South Wales seems to be opposed to any alteration."

He would beg leave to contrast that passage with a paragraph in a petition which appeared in the sixth page of the same volume, where it was set forth by the petitioners that they were—

> "anxious to have a constitution as nearly as possible like that of the United Kingdom."

Was the proposed constitution like that of the united kingdom? Again, he would beg to call attention to the reply of Earl Grey to Sir W. Denison, in order to show the way in which the wishes of colonists had been misunderstood by the noble Lord. There was one passage in Sir W. Denison's letter in which he made use of the expression—" that however much he might approve of the working of the existing constitution, he would most strenuously recommend the adoption of an alteration from one to two chambers." To which Earl Grey replied, that from the reasons he had given—in favour of the single chamber—it was not thought necessary to adopt his recommendation to introduce a second chamber; showing that the noble Lord had entirely misconceived Sir W. Denison's meaning. The other point to which the hon. Gentleman the Under Secretary for the Colonies alluded in arguing for the single chamber was, that it was necessary to have a representative body as the basis of the constitution. Now, in seeking to establish such a basis, there were two courses open. The one was to give the colonists full constituent powers to make their own constitution. The other to lay down at once a good constitution adapted to their wishes. But neither of these courses had been adopted by Her Majesty's Ministers. They had contrived a constitution, of which the best use the colonists would make would be to alter it. One reason for adopting the single chamber form was said to be, because there was a constitution ready to hand. Now, if it were an ancient constitution, one which had lasted for years, that might be a fair reason for the Government adopting it. But how long had it been in existence? How had they begun in New South Wales? By depriving the colonists of all British rights—of even trial by jury. The first time they were recognised at all as having any rights was in 1823, when Sir T. Brisbane having introduced a number of free emigrants, gave them a measure something like a constitution—a simple legislative council; and at the same time trial by jury. And it was not until 1842 that the constitution was given them which was now laid down as a sort of irrevocable basis from which they could not depart. Earl Grey had been doing his best to introduce a new form of constitution into New Zealand, which had been hanging over the heads of the colonists, who would rather have anything else than accept it. But the reason why they had had this constitution given them was, that Earl Grey had an extraordinary inclination for making constitutions. He copied as a model the old American constitution. It was clear that the subject was exhausted, but he hoped that the Bill would, in the next stage, be more completely debated. There was only one thing more to which he wished to allude, namely, the cause which had prevented the Government from carrying out its views. When the noble Lord stated that they were about to give the points of the British constitution to these colonies, the House naturally expected to see something like them proposed. But really one was quite disappointed at finding the proposition fall so far short of the promise. The fact was, the Government had not made up their minds. They were afraid of breaking up the present system at home, and it was so difficult to draw the line of demarcation between what was home and what colonial business, that, as the noble Lord at the head of the Government had said, it was almost impossible to do it. The hon. Gentleman then proceeded to read an extract from De Tocqueville's *Democracy in America*, to show the nature of the constitution of the United States, and said that no reason had been shown why the same system could not be introduced into the colonies. But the noble Lord had introduced the anomalous institution of municipal corporations into the colonies, and he now attempted to resuscitate it. There was another matter to which he should allude before sitting down. Before the bodies to whom the sale of the waste lands in the colonies was to be confided could be formed, a good deal of time must elapse, during which the sale would be altogether suspended; and the consequence of that suspension would be, most probably, that the Government would take up again the convict transportation system to supply the want of emigration. He objected to the formation of a congress of the Australian colonies, and for one reason especially—it was, that one colony alone would supply fifty per cent of the members of that body. One colony would have an overwhelming influence in it. He hoped Her Majesty's Government would bear in mind that it was utterly impossible for them to carry the Bill in its present state, and that they would make the alterations suggested to them. If they did so, they would get the entire and cordial support of that House, and of the people in the colonies.

MR. M. MILNES said, that he thought Her Majesty's Government deserved praise for giving so large and liberal a permissive power to the colonies. He did not believe that any of the old American States had ever received a charter equal in liberty to that now offered to the Australian colonies: nor that in the history of the world a measure had ever passed which placed so completely in the power of colonists the conduct and choice of their future government as the Bill before the House. As to the objections raised to the Government for not having given two chambers to the colony, were they to do so, would they not, seeing that the colonists were satisfied with the present system, be rather allowing their own prejudices to interfere with the future destiny of the colony? Was it not much better to allow the colonists to modify their own forms as they found convenient? Besides, whilst talking about two chambers, hon. Gentlemen did not all mean the same thing. If the formation of a constitution resembling that of this country meant anything really like, it presupposed the existence of elements for an aristocratic chamber, like the House of Lords. It meant—if it meant anything—two chambers like the two Houses of Parliament, a lower Representative Chamber and an Upper Chamber, aristocratic in its composition, and either hereditary or nominated by the Crown. But there was nothing analogous existing in any colony. The elements were totally wanting, and the attempt to manufacture such a system amounted just to that "constitution-mongering" of which some hon. Gentlemen had spoken. They saw in America that most wise and eminent body, the Senate; but to attempt to form such a body at once in Australia would be doing just that of which hon. Gentlemen opposite were so fond of charging Her Majesty's Government. They saw in France the system of a single chamber lately adopted by the choice of the entire people; and in leaving to the Australian colonies the choice of one chamber or two, they were doing just that which was essential, considering the democratic nature of the insritutions which those colonies must adopt. He was anxious to express his gratification, that in the course of the debate not a word had fallen which might induce the colonists to believe that there remained in the mind of Her Majesty's Ministers the least reservation of those principles of interference with internal colonial affairs which had so long been a subject of annoyance to the colonists. Upon the principle of self-government all were agreed. And as to the question of the Federation, he did not see how it was possible for many great questions of vital importance to all the Australian colonies to be settled otherwise than by an assembly analogous to the Congress of the United States. Surely, the hon. Gentleman opposite would not wish to see the colonies outbidding one another in the matter, for instance, of the sale of waste lands. He highly approved of the plan of Her Majesty's Government; and trusted that the United States of the southern world might one day represent and advance the British name, British language, and British institutions, as well as the great federation of the world.

Mr. WYLD said, he did not see why Canada and Van Diemen's Land should not have representatives in the British House of Commons, or why they might not be treated in all respects as distant counties of one great kingdom. In his opinion, Parliament would not be doing justice to the colonies or to the empire if they did not admit those settlements of Englishmen to equal privileges with the other portions of the great empire over which Her Majesty ruled. He by no means thought that that House would suffer either in dignity or efficiency by admitting representatives from the colonies.

Mr. STANFORD said, that the noble Lord in introducing the measure before the House took a review of the history of our colonies; but he should have been much better satisfied if the Prime Minister of this country had thought proper to pay some tribute of approbation to the enterprise and the energy of the men by whom our colonies had been founded and acquired. The noble Lord ought to have said something of the hundreds of millions of money expended in the acquisition of those colonies; he might have told the House that a great portion of the national debt had been contracted on account of them; neither had he done justice to the period of Elizabeth's reign, in which so many important colonial acquisitions had been made. He told them nothing of the treasure that had been expended, or of the lives that had been lost, in the acquisition of those colonies. The noble Lord, however, in the course of his speech soon quitted history for commerce and statistics; but it unfortunately happened for the credit of his information on these subjects, that the official despatches from the colonies on these subjects contradicted almost every one of his statements. The condition of British Guiana, of New Brunswick, and St. Vincent's, showed the evil of abandoning what the noble Lord called monopoly, but what he (Mr. Stanford) called protection. Those despatches showed the decline of all our colonial possessions under the free-trade system. Had the noble Lord by any part of his speech, or by the measure which he introduced, laid down any principles which could have the effect of cementing the union of the colonies with the mother country? The noble Lord told the House that his measures would put an end to commercial monopoly of every kind. Now, it might be doubted whether he succeeded even in that; but at all events he succeeded in doing what had an obvious tendency to alienate the colonies from the mother country, and if it could be said that there was any portion of his Bill more unsatisfactory than another to the colonies, it was that which snapped the tie which bound them to the United Kingdom. ["Divide, divide!"] He did not wonder when he made these observations that hon. Gentlemen on the other side of the House were impatient for a division; but he could not conclude without expressing his regret that the noble Lord had thought proper to touch upon the subject of transportation to the colonies without disposing of it, nor even did he seem to have arrived at any practical conclusion. In the same way he took up the subject of emigration, and abandoned it without reaching any final or satisfactory result. His opposition to the Bill might perhaps be of little importance in the eyes of the noble Lord; but he felt bound to say that he must resist such a measure, prepared, as he thought it had been, without the care which ought to be bestowed on a Bill that was to form the basis of all future legislation. In justice, however, to the noble Lord, he must thank him for the conservative character of some parts of the measure, though he protested altogether against the commercial portion.

Bill read a second time, and committed for Monday next.

DISTRESSED UNIONS, &c. (IRELAND).

Resolutions reported.

Colonel SIBTHORP, having already stated his objections to the resolutions now before the House, would not repeat them on the present occasion. But when the

Bill came before the House, he should move that it be read a second time on that day six months.

MR. P. SCROPE said, there was no evidence before the House that due efforts had been made to collect the rates due in these unions. On the contrary, it appeared that there had been great remissness, and he thought the vote ought to be postponed until the House had received further information on the state of these unions. All they knew at present was that the debt of these unions amounted to 300,000*l.*

LORD J. RUSSELL did not think it advisable to defer the report, and thought the hon. Member would be better able to make his objections when the Bill was before the House. Although there were thirty unions in which distress existed, it would be wrong to say that the distress was confined to those unions, and that other unions might not require the assistance which this vote of a sum not exceeding 300,000*l.* would give.

Resolutions agreed to.

Bill ordered to be brought in by Mr. Bernal, Lord John Russell, Sir George Grey, and Sir William Somerville.

LANDLORD AND TENANT (IRELAND).

SIR W. SOMERVILLE said, he had to move for leave to bring in a Bill to provide compensation to tenants for improvements effected by them in certain cases, and to amend the law of landlord and tenant in Ireland. Important as the subject was, and although it had been on three separate occasions introduced into Parliament, it was, nevertheless, true that no Government Bill had ever undergone a complete discussion in that House. Bills had been introduced in 1845 and 1846 into that and the other House of Parliament; but the Bill brought into the Upper House had never come down to the House of Commons, and the Bill introduced into the House of Commons was never read a second time. In 1848 he had the honour to introduce a third Bill, which was read a second time, but only with a view of referring it to a Select Committee, in which it received many improvements. That Bill so amended by the Select Committee was returned to the House; but the Session was then so far advanced that it was impossible to proceed with it, and the Bill was thereupon dropped, without having undergone a full and complete discussion in the House. That Bill, he was bound to admit, did not meet with any great favour, on account of the complicated machinery by which it was proposed to carry its provisions into effect. Under the Bill each party would appoint an arbitrator, and they were to appoint an umpire. The Select Committee, instead of an umpire, thought it would be better to nominate an inspector of improvements who should act as umpire when the arbitrators could not agree. Now, he had thought that if it were advisable to do away with the umpire, and substitute an inspector of improvements, it would be better to leave the entire decision with the latter functionary, and to do away altogether with the arbitrators. The whole machinery then became more simplified. This was the principal alteration made in the Bill of 1848, the other details being not sufficiently different or important to warrant him in taking up the time of the House in describing them. He thought that the Bill, as now laid on the table, was of all the measures yet proposed the most simple, the most easy of comprehension, and of being carried out. He had not altered the terms or the amount of compensation, of the Bill of 1848; but having received many letters, both from landlords and tenants, he was afraid that the present measure would not be satisfactory to all parties. It was certain that if both those who advocated the cause of the landlords, and those who took the side of the tenants, held out on each side for their extreme opinions, his belief was that nothing would be done. But he trusted that a wiser and more moderate course would be taken. Every suggestion made by the House should have his best consideration, and he trusted that, with the aid of the improvements which the Bill might receive in its passage through Parliament, it might receive the assent of the Legislature during the present Session.

VISCOUNT CASTLEREAGH was anxious to know whether the operation of the Bill with respect to compensation for improvement was to be retrospective? [SIR W. SOMERVILLE said that it was not.] For any measure which should take away the tenant-right of Ulster would be regarded by the people of that province with feelings of hostility. He should not be disposed to give his assent to any measure which withheld compensation either for past or existing improvements. This question of tenant-right had taken a deep root in the county of Down, although agitation was not observed in the neighbouring counties of Antrim and Louth. It was painful to find that the Presbyterian clergy had taken the lead in this agitation. At a meeting held in the county of Down on the 28th of January last, there were present sixteen clergymen belonging to the General Assembly or Synod of Ulster, and only one Roman Catholic clergyman. One of this number, the Rev. Mr. Rutherford, addressing the meeting in the character of a minister of the gospel, thought it not unbecoming in him to indulge in such laaguage as the following:—The rev. gentleman said that the whole difference between the value of the land in its present state of cultivation and in its primeval state 250 years ago was, beyond all contradiction, the inalienable property of the tenant-farmers of Ulster. The rev. gentleman also cautioned the tenants not to receive any money for drainage, because the landlords, knowing the tenants had a *bonâ fide* property in the soil, desired to neutralise their claim by investing a sum of their own in improvements. Now, although he was not a landlord himself, he was perfectly certain the altered circumstances of the country demanded a revision of rents. At the same time, he entirely discountenanced a reduction of rents on all property belonging to a landlord, not discriminating between the good tenant and the bad tenant. He must also advert to another meeting, held at Comber, where another Presbyterian clergyman declared, that "God not only made his own people farmers, but gave them their farms in perpetuity: he gave them fixity of tenure, on which the success and prosperity of the farmers depended. God had permitted the present depression, in order to show the hollowness of the relation between landlord and tenant." The same rev. gentleman also gave a history of an estate belonging to a noble relative of his Lordship, the substance of which was, that the Comber estate was purchased by its present owners during the latter half of the last century for 30,000*l.*; that the rent-roll at the time of the purchase was between 3,000*l.* and 4,000*l.*; that it now amounted to 24,000*l.* The rev. gentleman then asked who had caused this increase? to which the meeting responded by cries of "the tenants;" and then he informed his auditory that the legal interest of 30,000*l.*, the amount of the purchase money, at 5 per cent, was 1,500*l.* He also, apparently by way of moral to his narrative, concluded by professing that he did not want spoliation or robbery, but said the farmer's requital for toiling and sweating to enrich the rent-roll of the landlord was the impoverishment and ruin of himself and family. He (Viscount Castlereagh) expressed a hope that the rev. gentlemen would be taught, from the unanimous verdict of public opinion, that it was better for them to attend to the spiritual interests of their flocks, than to become political agitators of the character he had described, and made some quotations from the language of several dignitaries of the Roman Catholic Church in Ireland, to show that their Presbyterian brethren might advantageously take a lesson from them in inculcating universal peace and charity, and in standing aloof from political strife.

Mr. M. O'CONNELL was glad the right hon. Baronet had brought forward this measure, as nothing was more wanted in Ireland than an Act clearly defining the duties of both landlord and tenant.

Colonel DUNNE said, that many Irish Members would shortly be obliged to go home to attend the assizes, and it was, therefore, most desirable that the discussion on this important measure should be fixed for a period when as many Irish Members as possible could be present.

Bill ordered to be brought in by Sir William Somerville, Sir George Grey, and Mr. Solicitor General for Ireland.

The House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 19, 1850.

Minutes.] Public Bills.—1° Transfer of Land (Ireland).

2° Railways Abandonment.

RAILWAYS ABANDONMENT B LL.

Earl GRANVILLE moved the Second Reading of the Railways Abandonment Bill. The Bill was nearly similar to the measure that had been introduced last Session. The object of it was to give the Railway Commissioners power to authorise the abandonment of the whole or part of the works of any railway company on the application of at least three-fifths of the shareholders, and thus to save the companies the expense of applying for separate Acts of Parliament in each case.

The **LORD CHANCELLOR** said, there could be no difference of opinion as to the importance of facilitating the abandonment of the whole works of particular companies; but from cases that had come before him in his judicial capacity, he could not but feel that acts of injustice might be done if railway companies were allowed to shrink from performing their original undertakings. Many persons might subscribe to the original undertaking with a view of bringing a railway to a particular town, and these persons ought, he thought, to have their money returned should they require it before allowing the original contract to be departed from.

The Duke of RICHMOND said that there were hundreds of cases similarly circumstanced with those to which the noble and learned Lord had alluded, where companies, in their eagerness to keep other parties out of the field, promised everything that was asked of them without being able or willing to carry out their engagements afterwards.

Lord MONTEAGLE recommended that the Bill should be referred to a Select Committee, and that the Law Lords should be requested to turn their attention to its provisions. He would trust the Railway Commissioners if they had to act upon some definite plan, or if the principle upon which they were to act were laid down by law; but to entrust to a body which was not judicial, functions of the nicest judicial character, without giving that body chart or compass to guide them, was not a course their Lordships would act wisely in adopting.

Earl GRANVILLE said, if it was the pleasure of the House that the Bill should be referred to a Select Committee, he should not offer any opposition to it. He would consider the suggestions of the noble Lord.

Bill read 2ª, and committed to a Committee of the whole House.

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, February 19, 1850.

Minutes.] Public Bill.—1° Affirmation.

SOUTH YORKSHIRE, DONCASTER, AND GOOLE RAILWAY, &c. BILL.

Order for Second Reading read.

Mr. J. WILLIAMS objected to the right claimed by it of opening parcels when *in transitu*. He affirmed it to be totally opposed to the interests of the fair trader, who had a right to carry on his affairs without the prying inspection of those he paid as carriers. He moved that the Bill be read a second time this day six months.

Mr. W. BROWN quite agreed in this view. It was so manifestly to the interest of the public, that no doubt whatever should be left upon this subject.

Colonel THOMPSON said, that a Post-office clerk of the last century would be uneasy in his grave at the thought that two pieces of paper could be sent under the same cover for a penny. Why was the wrong to be continued by railway proprietors after it had been given up by the Post Office? The railway proprietors had an almost unlimited power of fixing their own prices for single parcels; and with this they ought to be content. The public had a right to look to the Government for assistance in putting down this foolish wrong on the industrious community.

Amendment, by leave, withdrawn.

Bill read 2° and committed, and referred to the Committee of Selection.

AGRICULTURAL DISTRESS.

Mr. DISRAELI: Sir, I have to present a petition from 200 owners and occupiers of land, who recently met at Great Marlow, representing the unprecedented depression of all classes connected with the land, begging the House to remedy their sufferings, by placing them, firstly, on an equality, in point of taxation, with their fellow-subjects; and, secondly, in their own market with the foreigner. I have also a petition from the Buckinghamshire Society for the Relief of Real Property, signed by nearly 1,000 members, but, having perceived an informality, I am prevented presenting it. Mr. Speaker, the depression among the classes connected with agriculture, referred to by the petitioners whose prayer I have just now placed upon the table, continues. Since the meeting of Parliament, when that depression received no sympathy from Her Majesty's Government—I may say no recognition—it has become even darker and more lowering. The 300,000,000*l.* of capital invested in the cultivation of the soil yield no profit to the cultivators of the soil. The value of the fee itself is deteriorated; and that factitious employment of the labouring population in the rural districts, which, to the honour of this country, has taken place, necessarily and naturally diminishes daily. Since these topics were last adverted to in this House, the report of the

Poor Law Board, to which the Minister on that occasion confidentially referred, has been placed in the hands of Members, and we have there seen the data upon which the Government then founded their argument. I am bound to say that from almost the commencement of this year I have myself received—and I believe I only represent the position of every Gentleman immediately connected with agricultural constituencies—I have received reports from considerable unions in the country, which convey a different result from that which is accurately reported in the document to which I have referred. But the House will remember that the date of the aggregate of facts which was thus presented to our notice, was only the first day of this year. It is since that time that that employment, which I have ventured to describe as factitious, has in my opinion greatly diminished in the agricultural districts of the united kingdom. It was, indeed, with reference to this point, my intention to have moved in this House for a return similar to that which we are in possession of up to the 1st of February; but, upon inquiry, it was represented to me that such a return, if consented to, would entail upon a branch of the Administration that has already greatly exerted itself in order to afford the most recent and authentic information to the House and the country, exertions so enormous, that I felt bound to relinquish my purpose. And, indeed, although I wish the office had fallen upon a Member of greater influence in the House than myself, I would venture to make a remark upon the general conduct of that branch of the Administration. For so many years the central management of the poor-laws has excited in this House so much controversy, and indeed, I may say, so much odium, that I think it must be a satisfaction to the House, to the Government, and to the country, to contrast the position which that branch of the Administration now occupies with reference to public opinion, with what it did three years ago. I have no wish to enter on this occasion into any invidious comparison, or attempt to investigate the causes which have produced a very different result; but the Government must be repaid for the concession to opinion which they wisely made, and which they wisely carried into effect, with respect to that department, when they observe that a branch of the Administration so intimately connected with the condition of the great body of the people, should be conducted, as I believe it now to be, in a manner which entitles it to public confidence. But we have to-night to inquire what is the best course to remove, if possible, certainly to mitigate, that unprecedented depression to which the petitioners have referred. Upon this side of the House we believe that that depression has been occasioned by recent legislative enactments, by the recent repeal of the laws which regulated the importation of foreign agricultural produce. We believe that the surest course, the most safe, the most efficacious, the course which in the long run would be most advantageous to the community and most popular with the community, would be the re-establishment of laws regulating the importation of that foreign produce. And that being our conviction, we may be taunted, as we have already been taunted, with the circumstance that we shrink from maintaining our conviction by argument in this House. The taunt is one easy to make, and it is not one very hard to bear. Speaking for those Gentlemen with whom I have the honour to act, I can say that we do not in any way shrink from an argument upon that subject. We have seen nothing at all which in our opinion confutes the conclusions which in good report and evil report we have attempted to advocate in this House with regard to that great subject. We still believe that the principles upon which you have constructed your commercial code are fallacious. We still believe that the time will come when you yourselves will acknowledge the truth of that assertion. But, although I am myself of opinion that discussion is the soul of this House, and, indeed, of this free country; though I believe that there are occasions when discussion, and mere discussion, may be the highest duty and the most sovereign policy; still I must express my opinion that, as a general rule, it is not advantageous that this House should become a mere debating society, and that, generally speaking, discussion should not be originated here, unless connected with some practical object of immediate attainment. Now, I will speak with perfect frankness upon this point: and I do not speak only for myself. After the divisions that occurred on the Address in both Houses of Parliament, we were of opinion that only one conclusion could be drawn from those facts; and though in neither House was the division called upon the merits of that industrial system which is popularly known by the name of "protection," still we could not shut our eyes to the practical conclusion that it was the opinion of a large majority in both Houses of Parliament not to disturb at present the settlement which this country has recently arrived at in that respect. Under these circumstances, representing a great body of the people who are suffering, in our and their opinion, by those changes in the law; having arrived at a conviction that no abrogation of recent legislation could be obtained at present from the present Parliament, it became our duty to consider what course might be taken, which, without controverting the conviction of the majority of the House, might at least be, as far as the fortunes were concerned, of a remedial character. Since this great controversy first commenced in this House, I have always, assuming that those laws which regulated the industry of the country might be repealed, seen looming in the distance a great alternative, to which I have been surprised that our most eminent statesmen have shut their eyes. I have always felt, if we thought fit to repeal those laws, and especially the laws which referred to the agricultural industry of this country, that the cultivators of the soil, that all classes connected with the cultivation of the soil, would offer this alternative to the Government:—"If you deprive us of that system of legislation under which for so long a period, with various modifications, we have enjoyed our property or pursued our industry, we shall ask this of you in the name of justice, that you should, at least, adapt our position to the altered circumstances in which you have placed us, and that you should revise the system of taxation that prevails in this country, with reference to its more equal and just distribution." I do not think that the claims of the classes connected with the soil can be placed before the House more neatly or more concisely than in the petition which I presented to it today. The classes connected with the soil demand of the Government of this country two things: first, that they should be placed upon an equality with their fellow-subjects; and, secondly, that they should be placed in their own market upon an equality with the foreigner. They refer, in the first instance, to that enormous system of peculiar taxation from which the majority of this country are exempt, and which they have borne; they refer, in the second place, to those fiscal restrictions which, when you have placed them in direct competition with the foreigner, prevent them from exerting their utmost energies, and freely availing themselves of their complete resources. Now, it appears to me that these are claims logically expressed, and founded on severe justice; and if those who hurried on, as I believe unhappily hurried on, the repeal of the laws which regulated the importation of foreign agricultural produce, did not at the time sufficiently and completely consider the consequences of their course—if they had not well weighed what must be the inevitable result of the new system which they have sought to establish—much as I regret the want of foresight in men so eminent, great and even perilous as may be the consequences of that inattention upon their part, I cannot, as the representative of an agricultural constituency, refrain from doing my duty to those who sent me here; and in the House of Commons, where there may be a majority of economists, I cannot think I am acting wrong if, notwithstanding their economical convictions, I have still confidence in the justice of Englishmen. Sir, my business to-night is to touch, and to touch only partially, one portion of the great theme which will, I believe, for a considerable time amply occupy the attention of Parliament, and before I advert more specifically to that portion, and to the measure which, with reference to it, I, with unaffected humility, shall presume to propose for the consideration of the House, I shall make one or two observations on the opinions that have been often expressed of late with respect to the nature of that taxation to which I am about particularly to call your attention. We are all well aware that recently, when that portion of our taxation popularly known as Rates, has been brought under the notice of Parliament, considerable controversy has occurred with reference to the classes on which the weight and burden of these imposts fall. Some hon. Gentlemen have informed us that the proprietor of the soil alone paid them; others have maintained that they were paid by the occupier, and they have advocated their repeal because the cultivator of the soil would be benefited by that repeal. But time, which generally brings with it truth, has removed in a great measure the difficulties connected with this question. The hon. Member for Montrose, who, in the first year I took the liberty of making a Motion on this subject, moved an

Amendment declaring proprietors alone paid rates, last year was the father, as he is this year the godfather, of a new representative system, which he is about to introduce throughout the country, in order that the occupiers, whom he now maintains to be the real payers of the rates, should exercise a control over the funds which they mainly furnish. Appealing, therefore, to the legislative proposition of last Wednesday on this subject, I might fairly assume that there was no longer any difference of opinion between hon. Gentlemen opposite and myself as to the incidence of this class of taxation. But I am not willing to rest my argument on so narrow a basis, or to offer the proposition it is my duty to lay before you on so partial an admission. I think, Sir, the time has come when we must view this question a little more profoundly. As long as you passed laws in this House the tendency of which, according to your opinion—was, in your own language, to raise rents, you had, perhaps, even if that opinion were fallacious, a right to analyse the relative interests of the owner and of the occupier of the soil. But the moment you swept those laws from off your Statute-book—the moment you resolved that the land of England should enter into free competition with all the soils of all the kingdoms of the globe, I think you were estopped from considering the relative interests of occupiers and owners, and that, instead of busying yourselves with the interests of landlord and tenant, you had from that time to deal only with the interests of the land. There have been and still are, I may say, two opinions prevalent in this House, or at least in this country, on the subject of that species of property which we popularly term "land." There are those who hold that there is a distinction between land and all other species of property. There are those who hold that distinction absolutely and under all circumstances. There are, Sir, many who hold it with reference to the land of England as a great political principle, which an Englishman ought not to relinquish. Considering that all our institutions spring from the land—considering that the Throne, that the estates of the realm, that the great scheme of our juridical institutions, the inheritance of the poor, the sacred spires, as it were, of our ecclesiastical establishment, all have their origin in the same source—considering that, in fact, we have a territorial constitution, they always have been of opinion that it was the first duty of a British statesman to sustain the industry, the property, and the influence of our territorial population. It is for this reason they have ever been of opinion—an opinion strictly constitutional—that we should in all our legislation which refers to or regulates the distribution of power, consult the preponderance of the landed interest. They thought so because they considered that preponderance the best security for order and liberty, and, in addition, the best security for that political stability which is a still rarer quality in the history of nations than order and freedom. These are opinions which I know are considered somewhat old-fashioned in the House of Commons, but which I believe have not yet forfeited their hold on the great majority of the people, and I humbly venture to share in and adhere to them. There is another class of opinions not so popular or so prevalent out of the House, but in the House maintained with great vigour and ability with respect to land. The Gentlemen who represent this opinion hold that there is no difference whatever between the land even of England and any other species of property. They maintain that all those considerations to which I have referred respecting the maintenance of order, of liberty, and of the stability of States, are mere superstitions; that the land is to be considered, to use a phrase which the hon. Member for the West Riding very erroneously imputed to me, as raw material, which we ought not to regard as endowed necessarily with any peculiar quality whatever. I have never admitted, nor do I now in any way admit, the truth of this opinion; but I accept it in argument, for nothing, I think, is more convenient in discussion than to draw your conclusions, if possible, from the admissions of your opponents; and for that reason alone, having heard it in this House from persons of great authority, and finding similar opinions promulgated by literary organs out of doors of great ability, I said, if the land indeed were a raw material, we claimed for it the application of the same principle you extend to all other raw materials. To that remark I am bound to say, Sir, I have not yet received a satisfactory answer: great subsequent silence on this subject in the House—out of the House, among those organs of which I have spoken—similar silence also for a time, then a denial that the land was a raw material, or assertions, if it be so, it is a raw material peculiar from all others, because it produces a quality called "rent." Now what I want to impress upon the House is this—that from the moment you forced the land of England into competition with the land of all the world, you have no business to inquire into that quality called "rent." According to our opinion, and to the opinion of many of the most influential men opposed to the agricultural polity we would recommend, the consequence of your recent laws will be to throw a great quantity of land out of cultivation. The difference between us on this head is only one of degree. According to all, there is one class of land which is certainly doomed to sterility. Well, what I wish to urge on the House is this, that the amount of this peculiar taxation, styled local taxation, may make the exact margin which permits that land to be cultivated, or dooms it to a barren existence. It is on these grounds I maintain that you have no right now to consider what may be the effect of your legislation on rent. All you have to do with regard to the land, is to act with justice, and consistently with those economical principles which are the foundation of your commercial code. I say the House has no longer any right to speculate on the amount and nature of rent. It is a subject which, owing to your recent legislation, is swept from your consideration. And, Sir, nothing astonishes me more than the tone assumed in this House on this subject. If I did not know I was addressing a society which must necessarily be a society of gentlemen, on the whole, the ablest and best informed in the country, I should sometimes suppose that in this House existed some of those prejudices which are to be found elsewhere with respect to the character of landed proprietors. On another occasion, when a similar subject was under discussion, I ventured to request that the House would consider the elements composing that class, because certainly the tone taken in debate, when speaking of them, is one which applies only to a limited, luxurious, indolent, and aristocratic class—a class whose rights, however, even if they should be thus justly described, should, I conceive, be treated in accordance with the principles of justice. But it is well to consider if this prevalent character of the proprietors of the soil is a just one. I took occasion recently to mention, that, following the researches and conclusions of the most eminent writers on this subject, I calculated the number of landed proprietors of the united kingdom as probably about 250,000. Now, I ask the House to consider what is the aristocratic element of this numerous and important class. You cannot, perhaps, take any better mode to ascertain a fact of so much importance than the following:—Calculate the number of manorial estates. It is a subject on which you will probably find no return ready to your hand; but we all know that in the united kingdom, generally speaking, every parish is a manor, though every manor is not a parish. Allowing, then, one-fourth for manorial estates not parochial, which I have every reason to believe is a liberal allowance, we may assume that there are 20,000 manorial estates. These form the aristocratic element; these are the estates of that squirearchy of whom we hear so much, and whose personal interests, we are told, are alone considered when we legislate for the land. Well, you find that they are thus exactly one-twelfth of the class of landed proprietors. But divide the complete rental of the united kingdom, according to the returns, by the number of these proprietors; take the rental at 60,000,000*l.* a year, and you will find that you have a body of proprietors at 240*l.* a year each. But as we all know there are many who have much more, it follows there must be a great number who have much less. Yet this is the class who are always painted to the passions of the community as a luxurious, limited, privileged, and aristocratic class, though they are, on the contrary, the most thrifty, the most industrious, the most hard-living class as a whole that probably exists in the united kingdom. I maintain, then, that with respect to this class you should legislate according to justice, and to the principles you are perpetually parading; that no inquiry respecting the incidence of taxation, as to whether it falls on the owner or on the occupier, is necessary for you in order to decide what you should do; that you should henceforth act in accordance with the principles of political justice, and with what you consider economic truth; that in taking the course which justice and policy alike recommend, you are not to regard the owner or the occupier, but to consider whether you are doing justice to that most important interest, the land of England; whether the land which you have thrown into competition with all the soils of all the countries of the world, can be worked in a remunerative manner, and not whether the profit goes to the landed proprietor or to the occupying tenant. Now, Sir, with these opinions, I proceed to call the attention of the House to the first part of the important subject to which I have adverted, namely, the relations of the agricultural interest in all its classes to the local taxation of the country. I have on a former occasion taken an opportunity of calling your attention to the general subject of local taxation in England. The facts I then placed before you were not controverted at the time, nor have they since been disputed; and indeed many Gentlemen of official authority who took part in that debate, acknowledged their accuracy. On that occasion I stated that the property connected with the soil of England, independently of contributing to the general revenue, contributed to another revenue in England alone to the amount of 12,000,000*l.* sterling, and that all the objects for which this second revenue was raised, were objects of general interest and national concern. I then included the land tax in the aggregate amount. I assumed the land tax to be virtually two millions per annum, which was admitted by the Chancellor of the Exchequer, as it must be by any one who had given attention to the subject; but I acknowledged that though it was a tax on the land, and locally raised, there was a difference between it and other sources of local taxation, because it was paid into the imperial exchequer. I shall not dwell on this point on the present occasion, because it does not immediately concern us. The land tax is only another instance how the land of England has been at all times made to pay more into the exchequer than it ought, since the law entailing the land tax was originally a law which equally applied to all other species of property. It would not be difficult, indeed, to prove that since its introduction more than 100,000,000*l.* have been paid by the land under the machinery of the land tax than the land ought to have contributed. But, taking the annual local taxation of the united kingdom, setting aside the land tax, at 14,000,000*l.*, I only refer to the fact that the House should bear in mind the general amount of this peculiar revenue, so remarkably raised, and which has been sustained with such a spirit of endurance for so long a period, and that it may more justly consider the peculiar branch of taxation to which I am now about to call its attention more specifically. That branch of the local taxation of the united kingdom are the poor-rates. I see that the hon. Member for Shetland and the Orkneys has moved an Amendment on my Motion to-night, to which I shall for a moment advert. The hon. Gentleman has moved—

> "For the appointment of a Select Committee to inquire into the effects of the laws for levying duties on the importation of corn and other agricultural produce from the year 1815 to 1848, both inclusive; also, into the relative amounts of taxation, local and general, which have been levied during the same period on agricultural and other property and incomes."

Now, that appears to me to be a very sensible Motion; and if the hon. Gentleman had had more experience than he possesses of the House, I think he would have moved it as an unopposed return, because I can assure him all the information he desires on these important subjects can be obtained upstairs, and if he only examined the reports of Committees of this House and of the House of Lords, he would find every particular so amply furnished that it would not have been necessary to move this Amendment. Indeed, I have been furnished by a gentleman of authority with a digest of all the information the hon. Gentleman requires. It ranges not merely from 1815, but from 1800 to 1845; and in reference to it the hon. Member will find that landed property in that period has paid 581,000,000*l.* to the State, as compared with 159,000,000*l.* paid by other real property. Now I have no wish to touch on the comparative tributes by the different classes of real property. I think it unjust to these classes that they should contribute to a peculiar taxation. All this information, and much more that refers to the subject, is not of the slightest use to me, and I shall not avail myself of it; but, as I am of opinion that in the intercourse of social life an interchange of Parliamentary courtesies is not the least agreeable, I have brought the digest down to the House, in order that the hon. Member may use it in his speech. If he makes good use of it, his speech will be one unrivalled for statistical research, and the only misfortune will be that his facts and figures will entirely refute all his foregone conclusions. I venture now, Sir, to call the attention of the House to the nature of a poor-law. I have before this taken the liberty of saying that a poor-law was a law which might be vindicated on two principles—either as a matter of police, or as a matter of social duty. If you regard it as a matter of police—if it be the interest of society, that by providing for those in want, society should be secure from the consequences of violence and rapine, it is clearly the interest of all, and it should be supported by all. But if you take the higher motive, and consider the maintenance of the poor, as we do in England, a social duty, then it is the duty of all according to their means; and therefore it ought not to be a tax charged on one kind of property. Every one knows, however, it is a tax charged on one kind of property. I will not enter into any wearisome inquiry to ascertain the relative amount of property subject to it, and the amount of property privileged and exempted from it. Never mind whether it is one-fourth or whether it is one-third of the income of the country—never mind whether 80,000,000*l.* or 60,000,000*l.* bear the charge which 240,000,000*l.* ought to bear—the great fact remains, that the vast majority of the property of the country does not fulfil the social duty which all acknowledge. Now, there are, Sir, I know, very grave objections to remedial measures in this behalf, and, indeed, it is not possible to conceive how such flagrant injustice could have flourished so long, were not the difficulty in removing it considerable. In the first place, every one is afraid of interfering with or disturbing that happy system of local government of which we have so much reason to be proud, and which has been the source of so much public happiness. I never happen to speak on this subject to any person of great property, not connected with the land, but I find him eloquent on the blessings of that system. Ask any fortunate possessor of 30,000*l.* or 40,000*l.* per annum, in the sweet simplicity of the three per cents, if he does not think he ought to contribute proportionately to the relief of the poor, and he will tell you that abstractedly he admits the justice of it, but fears lest in doing so he might endanger our happy system of self-government. I frankly admit I should myself be unwilling to support any proposition which could endanger that system; but I cannot admit the solution of the problem is impossible which shall reconcile local management with imperial taxation, though I confess that in attempting to solve it the law of settlement must be determined for ever. But there is another objection against offering any relief as to the present distribution of the taxes levied under the poor-law, and it is rather a popular objection also. It is said, and has been recently repeated with no novelty of assertion but with some authority, that land in the country has been inherited, or otherwise acquired, subject to this charge. That, I observe, is a remark which always tells, and which perplexes if it does not convince, but with respect to which there is one simple but sufficient observation—it is not true. In the first place, it clearly is not true as regards Ireland. The land of that country was not inherited or acquired subject to poor-rates. It is clear, again, it is not true with regard to another of Her Majesty's kingdoms. The land of Scotland was not inherited or acquired subject to poor-rates. But neither is it true with respect to very considerable portions of the land of England. The House would be surprised, if they investigated this topic, at the number of very considerable estates, and of some less important but not less interesting tenures, yeoman estates, which were not originally subject to this charge. I had intended giving some of the names of those properties, but refrain from doing so because the list would be imperfect, and would therefore only lead to erroneous conclusions. But, Sir, I cannot forget that I am standing opposite the noble Lord, the son of one of our greatest houses—of a house which, I am willing to admit, has exercised its vast possessions generally for the honour and dignity of England—which certainly did not inherit or otherwise acquire those vast possessions subject to the provisions of the 43rd of Elizabeth. As a matter of fact, therefore, this assertion is not true. But as a matter of principle is it just? I am not disposed to assent to the principle, that because an estate has been inherited or acquired subject to taxation which is impolitic, the tax is to be retained because it is inherited. If we are of opinion that the land of England should, under existing circumstances of unlimited competition, be as exempt as possible from peculiar taxation, I hold that we should take every fitting occasion to relieve it from that peculiar taxation. But, advancing a step further, if you maintain these estates were inherited subject to the impost, I must make up accounts on both sides, and ascertain whether this property was not inherited and acquired subject to other laws which gave it an adventitious value—whether there were not laws to that effect which for a long series of Parliaments found favour with you—whether there may not be cases of a man's purchasing an estate because the Legislature had for centuries secured him a certain market for his produce, and not only secured a market, but passed laws which offered a bonus for the exportation of his produce. I might, when you urge that poor-rates are an inherited impost, reply that the legislative advantages he inherited he also found ratified by consenting senates in succession, and that those advantages you—suddenly, and in a manner he was least prepared for—deprived him of. The two arguments, then, generally brought forward on this question—first, the risk you incur of disturbing our local administration if you attempt to give relief to the oppressed property; and, secondly, that the property seeking relief has been acquired subject to these charges—I have referred to merely because I thought the present a fair opportunity for refuting them, and not because I am interested in refuting those propositions, inasmuch as the measures I shall submit to you are not open to either of these objections. I think, Sir, the time has come, as I ventured to intimate it would, when we must seriously consider whether we cannot adapt the position of all those classes connected with the land, so far as regards taxation, to the new circumstances in which Parliament has placed them. We do not, on this side of the House, relinquish one jot of the opinions we have ever maintained on this subject, and I have therefore now only to repeat what I have said upon former occasions, that when the fitting opportunity may offer we shall be as fully prepared as you to act upon our convictions; but now, accepting your legislation as a fact—believing that there is in this House a pledged majority prepared to act upon those principles of legislation, and believing that those principles are deeply injurious to the interests of those whom we have the honour to represent in this House, and whom we wish to relieve—we propose now to enter upon a series of remedial measures, which may mitigate their sufferings, but which are founded on principles of political justice, which you cannot deny, and which are in conformity with those principles of economic science which you have adopted as the basis of your legislation. In the course of last year, when I submitted a Motion to this House, the object of which was for the land to obtain some relief from the pressure of local taxation, I was told that my design was too vast, and I was assured that the state of the Treasury at that time would not permit the Government even to consider any such proposition. I hope that I shall not be told now that my design is too limited, seeing that I have now confined myself to only one part of the wide field over which my view had previously extended. Circumscribed, then, within my present boundary, I would hope that the Government would support me if the propositions which I make be not only just, but essentially practicable. And, now, with respect to those propositions. I propose to move several resolutions, if we get into Committee, as I hope we may, which would lay the foundation of legislative measures connected with the poor-rate, calculated to mitigate the distress and depression of the agricultural classes—a species of distress and depression which, it is agreed, cannot, like commercial distress and depression, be described as "a passing cloud." If we get into Committee, as I hope and earnestly wish may be the result of my Motion, the first resolution which I shall propose to the Committee would be that a sum not inconsiderable should be remitted to the owners of real property—a remission which would certainly not be open to either of the objections which I have already considered and answered. The first point which I propose to consider in Committee is that class of charges connected with the poor-law which are known by the name of Establishment charges. It is perfectly well known that these charges are not necessarily connected with local administration, and virtually are almost entirely independent of it; such a change would have no bearing whatever upon our admirable system of local government — that system would remain intact, its machinery unaltered, its chain of checks and control as before. I should propose, then, that from the 25th of March, 1850, the establishment charges for the relief of the poor of the united kingdom should be defrayed out of the general revenue of the State. This first vote, then, would have the effect of diminishing local burdens to the extent of little under 1,500,000*l.* sterling. Now it is important not to forget that while those establishment charges are barely subject to local government, and while in dealing with them we leave the general fund for indoor and outdoor relief to be derived from the same sources, and administered in the same manner and by the same hands as heretofore, no one can attempt to contend that the burden of the establishment charges have been inherited or acquired with the estates which the owners of land now hold. The time at which those charges were created is not so much within the memory of the oldest inhabitant of this House, as rather of the youngest. The second resolution which I shall put before the Committee if I succeed with my present Motion, will be one in which I shall venture to deal with all rates which are raised by the machinery of the poor-law, but which have absolutely nothing to do with the maintenance of the poor, and which it is a flagrant injustice to add to the taxes for the support of the poor, and to levy off those who are already burdened to excess, by not only maintaining the poor, but paying all other local taxes besides. Some years ago the House passed an Act for a general registration of births and deaths, the expense of maintaining which amounts to 60,000*l.* a year; and the task of defraying that annual expenditure was imposed upon real property alone. It was an easy way of dealing with the matter, by which you may go on *ad infinitum* augmenting the weight of local taxation on one species of property. Next came the charges of preparing the jury and burgess lists—somewhere about 24,000*l.* a year—and the Bill was at once handed over to the Poor Law Commissioners, and the burden laid upon real property, to be raised by the same convenient machinery, the poor-rate. This was followed by the sanitary alarm, and Parliament could not help giving its instant attention to the causes of that alarm, and the means of their removal, and therefore we have had Nuisances Acts, and Sanitary Acts; and in the regular course of such events the cost of those measures, which amounted to a considerable sum, was raised in the same way, and from the same quarter. I should quite weary the House were I to proceed with the long catalogue of successive burdens heaped upon the land. There is the Vaccination Act, the Parochial Assessments Act—in short, the aggregate of these miscellaneous charges can scarcely be estimated at less than 500,000*l.* for England, and probably 700,000*l.* per annum for the whole of the united kingdom. There surely is no reason why the real property of the country should bear all these burdens; and this mode of levying them certainly has nothing to do with, nor does it afford any security for, the continuance of that happy state of self-government which hon. Gentlemen opposite so highly appreciate; that is already abundantly secured by levying millions upon the suffering land of England. I should propose, then, by my second resolution, that from and after the 25th of March, 1850, all rates, not being rates for the maintenance of the poor, which are levied under and by means of the machinery of the poor-law, should, with the exception of the police and county rates, be defrayed out of the Consolidated Fund; and I hope that in making such a proposition I shall have the support of the hon. Member for Montrose, who at least must admit that my propositions are sufficiently specific. Assuming, then, that I am so fortunate as to carry these resolutions, I shall still have another to propose. I have hitherto proposed to deal with a sum of 2,000,000*l.*, of which I calculate that two-thirds press directly on the suffering land; and in so doing, I have not asked the House to depart from any of those ancient principles of government which are rightly so much reverenced by us. All I have suggested is, that we should transfer from the land, and from the classes connected with it, imposts of very modern date, which no one pretends on principle the land should endure more than other property. The third resolution which I shall propose, will be that from the same day, viz., the 25th of March, 1850, the cost of maintaining and providing for the casual poor of this country shall be transferred to and defrayed out of the general revenue of the united kingdom. The House will remember that the casual poor are not at present a parochial charge. They are already supported in England by a union rate. This third resolution, from the difference in the law, would not apply to Ireland, but to Scotland it would be a very considerable relief. These, then, are the resolutions, the expediency of which I propose to move in Committee. I cannot but think that there is much to be said in favour of them; they are just; they are essentially practicable. They require no new, they destroy no old machinery, and the expenses of them may be defrayed from that balance in the Exchequer of which we have heard much, and hope more. Acting with my friends in this matter, I cannot but regard it as a congratulatory circumstance, that the elements of controversy are very slightly mingled with this proposition. The Finance Minister, on the present occasion, cannot come before us to plead *in formâ pauperis.* But these intended resolutions, have, I think, other recommendations than their justice and their practicability. They are eminently conciliatory. The First Minister says we were in error in assuming, on the first night of the Session, that there was no sympathy on the part of the Government with the sufferings of the agricultural classes. I willingly believe him. The noble Lord has before this shown, and naturally feels, a sympathy with the agricultural classes. Their distresses are now severe. You cannot alleviate these distresses by referring, as some of the noble Lord's colleagues have done, to the otherwise rampant prosperity of universal England. I will not say on this occasion that that prosperity has been obtained at the expense of the agricultural interests, or through the agency of their distress, but it seems to have a suspicious concomitance with those incidents. This, I trust, is not the tone the noble Lord will adopt. I ask him in acceding to this Motion to make no sacrifice of his principles, or in any way to compromise his previous policy. It is a happy occasion when he may maintain that policy, and yet evince his consideration for the sufferings of powerful and loyal classes. The noble Lord may say "I have unbroken faith in the industrial doctrines which I have upheld in this House. I believe the practice of those doctrines are the real cause of the great and general prosperity which England at the present moment enjoys. But I deeply deplore the depression and distress of the agricultural classes. They are classes second to none in importance. I know, and I myself before have acknowledged, that they endure peculiar burdens, from which the other and the prospering classes are exempt, but until now I had not encountered the well-considered means of even their partial removal; and I am happy, as a practical statesman, to acknowledge that it is in the power of Government and Parliament to mitigate their distress by the redress of these grievances." Sir, I can conceive nothing more dignified, more politic, and more consistent than such a course on the part of the First Minister. I cannot believe that he will be withheld from giving his sanction to these measures because they are brought forward by a political opponent. I have told the noble Lord before this, I repeat it now, that on this subject of the land we have no party politics. Let the noble Lord, or any other Minister, do justice to the land, and he will receive from these benches a powerful, a cordial, a disinterested support. And if, with his assistance, we carry this Motion to-night, I can assure him, that it will not be on this side of the House that the result will be esteemed a party triumph. But it is not only to the Government that before the division is called I would make an appeal. I entreat the House itself well to weigh the consequences of the adoption or the refusal of these claims. It has been truly said, that it is impossible to exaggerate the agitation which prevails out of doors with respect to this agricultural suffering. The hon. Member for the West Riding himself acknowledged, the other night, that since the Reform Bill there has been no excitement equal to it. But what is its chief characteristic? Let me entreat the House to observe what is the chief characteristic of this agitation. Is it not an expression of opinion that appeals to this House are hopeless? That in this House there is no sympathy with agricultural suffering? Why, what is that but a want of confidence in the institutions of the country? [Mr. COBDEN: Hear, hear!] The hon. Gentleman cheers as if I sanctioned such doctrines. I have never sanctioned the expression of such feelings; I never used language elsewhere which I have not been ready to repeat in this House. I never said one thing in one place, and another in another. I have confidence in the justice and wisdom of the House of Commons, although I sit with the minority. I have expressed that confidence in other places. I never, indeed, supposed that the House would come forward and cancel all their convictions, to which the majority had probably arrived after long and painful deliberation; but remembering what the House did on the subject of the Sugar Bill, two years ago, I have expressed the conviction that I earnestly entertain, that this House, instead of being an assembly with a deaf ear and a callous heart to the sufferings of the agricultural body, would, on the contrary, be found to be an assembly prompt to express sympathy, prompt to repair, if it might be, even the injury, necessary in the main as they might think it, which they had entailed on the agricultural classes of the country. I feel that conviction now. I cannot believe that, in the present state of the country, when propositions brought forward, as I think, with so much moderation, in a spirit of justice, urged, I hope, with temper—I cannot conceive that we shall be met with any heartless opposition. I hardly know what arguments we are to encounter. All the usual ones to which I have referred, are entirely shut out from this discussion. All they can say is, that "we ask so little, and that that little is so easy to be granted." We may indeed be told, as we have been told before, that we who are the advocates of a protective system ought to be content with nothing less than a recurrence to that system in justice to our constituents. Well, that is a style of objection that, with great respect to hon. Gentlemen, I shall never condescend to reply to. I have that confidence in the good sense of the English people that, while I believe they are prepared, when the constitution gives them the opportunity, to vindicate the industrial principles which they think ought to prevail, yet, in this House, where we are met by a pledged majority, which will scarcely listen to a discussion of that nature, they will deem we are only doing our duty, we are only consulting their interests in taking every opportunity to alleviate their burdens, in trying to devise remedies for their sufferings, and, if we cannot accomplish immediately any great financial result, at least, achieving this great political purpose, that we may teach them not to despair of the institutions of their country.

Motion made, and Question proposed—

"That this House will resolve itself into a Committee of the whole House, to take into its consideration such revision of the Laws providing for the Relief of the Poor of the United Kingdom of Great Britain and Ireland, as may mitigate the distress of the Agricultural Classes."

The Question having been put,

SIR G. GREY: Sir, in rising to answer the speech of the hon. Gentleman the Member for Buckinghamshire, I must begin by expressing the satisfaction I feel at the course he has taken in bringing forward thus early in the Session the Motion which he has now submitted to the House; and I think that the agricultural interests of England are indebted to him on more grounds than perhaps they themselves believe for the course he has thus taken. After all we have heard during the last few months of the propositions made at the county meetings held in so many parts of the kingdom—after all the confidence in the anticipations there expressed of the immediate, or, at least, early return to the protective system—after all the cheers elicited by the fervid eloquence of orators at these meetings—many of whom now sit near the hon. Gentleman, and are there compelled to recognise him as their able and distinguished leader—I say it is satisfactory to hear him coming forward in the name of that numerous and distinguished party that I see opposite me, many of whom had been accustomed to meet the promoters and abettors of free trade with the most doleful predictions of the inevitable and utter ruin that must befall the agricultural interest if protection was not speedily restored—it is satisfactory to those who are prepared to adhere to the system of commercial policy recently adopted, to hear the hon. Gentleman, recognised as the leader of that party, himself declare, amidst the cheers of that party, and in the presence of this House and the country, his belief that so long as the present Parliament, at least, should endure, a return to that protective system is utterly impossible. I think the agricultural interest is indebted to the hon. Gentleman for his frank and candid avowal; but I must do him the justice to say that he is not one of those who are open to the taunt—so far, at least, as my observation enables me to judge—of saying out of this House what he does not say on the subject within it. He has not fostered and encouraged what I must call a mischievous delusion, spread at many of these agricultural county meetings, and which was leading away the minds of the farmers of this country from the use of those means which Providence has placed within their reach for meeting the altered circumstances of the times; but that *ignis fatuus*, the restoration of protection, has been declared by him utterly hopeless and impracticable during the present Parliament at least. [Sir J. TYRELL: Hear, hear!] The hon. Gentleman who sits near him implies by that cheer that the hon. Gentleman the Member for Buckinghamshire only limited this hopelessness and impracticability to the duration of the present Parliament, but considered that another Parliament would return to protection. Sir, I utterly disbelieve in the probability of such a result. I believe that the benefits of the system of policy lately adopted, are too widely felt and enter too much into the every-day comforts of the great body of the working classes in the country, be their occupations in manufactures or in agriculture, to allow me to suppose that the opinions of the country can be changed in the way the hon. Member for North Essex imagines they can, even if a new Parliament were elected. Hon. Gentlemen opposite may anticipate a change at an early period: I cannot say what after the lapse of years may occur, or what revolution in the public feeling may hereafter take place. But I conceive that nothing can be more injurious than for the agricultural interest to look to this as a remedy for its distress. I have to thank the hon. Gentleman for the tone which characterised his speech generally, and for his frank admission that the decision of Parliament on the Amendment to the Address in answer to Her Majesty's Speech—although that Amendment was represented by some hon. Gentlemen at the time to have merely asked for a few kind words of sympathy—was a proof that in neither branch of the Legislature can any proposal for the restoration of protection find favour or support. But to come more immediately to the topics alluded to by the hon. Gentleman, I must observe that on this occasion he has said but little of the actual distress which he takes as the whole basis of his Motion. He assumed the existence of extensive and deep distress throughout the agricultural districts. The only allusion he made to it was a supposition not founded on any good reasons, or any specific information, that the returns of the state of pauperism would have shown an increase in the number of persons relieved if these returns had been extended to the 1st of February, instead of being given only to the 1st of January, 1850. It may be very possible that, owing to circumstances that always affect agricultural and other labour, such as the long-continued frost, drainage and certain other works may have been partially checked, and thereby some slight increase in the numbers receiving relief under the poor-law may have in particular districts arisen; but it is altogether a gratuitous assumption of the hon. Gentleman, for which he has not adduced even the shadow of a proof, to say that there has been growing and increasing agricultural distress since the recent debate on the Address to Her Majesty. I do not wish to join issue with the hon. Gentleman on the fact of this distress, as it was admitted, in terms almost identical with those used on previous occasions, in Her Majesty's Speech, and in the Address in answer to it, that distress did exist in the agricultural districts; and it is a notorious fact that the price of agricultural produce has been so low as to occasion distress to the owners and occupiers of land in many parts of the country since the last harvest. I believe this arises from a combination of causes, including no doubt the free importation of foreign corn in a year when we had an abundant harvest. But I must say, looking at the great bulk of our agricultural population, and applying to it the usual tests, I find no indication of any great distress among that class, as compared with former periods; while, as compared with the previous year, there are indications of their condition being improved. Deriving my belief from those sources of information, to which the office I hold gives me access, I must trouble the House for a few moments, in order to state what are the tests which are pretty sure indications of the physical condition of the great bulk of the people. These tests are—the state of crime and pauperism. With regard to pauperism and crime, then, what is the result of a comparison between 1848 and 1849, going through the whole of the counties of England?—

> "On a comparison of crime, as evidenced by commitments in England and Wales, in 1848 and 1849, it appears that the commitments in 1848 were 30,349; in 1849, 27,778; showing a decrease in 1849 of 2,571, or 8.5 per cent. On a comparison of the number of persons receiving parochial relief on the 1st of January, 1849 and 1850 respectively, it appears that the number was, on the first of January, 1849, 987,164; 1st of January, 1850, 923,167; showing a decrease in 1850 of 63,997, or 6.4 per cent. On an analysis of the returns, it appears that there has been a decrease of crime in thirty-one counties; that there has been a decrease of pauperism in thirty-two counties; and that there are twenty of the above counties in which there has been a decrease both of crime and pauperism, comprising a population of 9,204,586, nearly two-thirds of the whole, while there are only nine counties (including four in Wales) in which there has been any increase both of crime and pauperism."

Tried, then, by these tests, it cannot be denied that the physical condition of the people was better in 1849 than in 1848. With regard to crime, a remarkable improvement has taken place, which was alluded to in the charge delivered to the grand jury of Middlesex, by the Recorder, at the Central Criminal Court, on the 5th of February, 1850. I find from a report in the public papers of his charge to the grand jury that he said—

> "It was a most gratifying circumstance for him to be able to inform them that the number of prisoners fell considerably short of that which was generally contained in the calendar at this period

of the year, and that it was also very considerably below the usual average of committals for the period that had elapsed since the termination of the last session. The jurisdiction of the Central Criminal Court extended over a population of more than 2,000,000, and out of that number there appeared to be only 123 persons committed for trial on the present occasion. Every one one must feel gratified to find this diminished number of committals; but this gratification was very much enhanced by the result of a statement that was lying before him, giving a detail of the number of persons committed for trial to this court during the years 1848 and 1849, by which it appeared that 593 less persons were committed during the latter year than in the former, and this, coupled with the condition of the present calendar, might very reasonably justify the conclusion that crime was permanently on the decrease. To whatever other causes this gratifying result was to be attributed, there could be very little doubt that the improved condition of the people must be a prominent one among them, and this impression was borne out by the fact, as proved by the returns before them, that the cases of common larceny, the great proportion of which were the result of the poverty and destitution of the persons by whom they were committed, were greatly upon the decrease. In addition to the gratification that was derived from the diminution in the amount of crime, it was also a pleasing fact that the heinous character of the crimes usually brought before the attention of this court appeared very considerably diminished, and that offences against the person and acts of violence were much less numerous than they formerly were. He concluded his charge by congratulating the grand jury upon the probability of their labours, on the present occasion, being of short duration, and at the same time said that he congratulated the country generally upon the prospect of better times, and of a happier condition of persons in a humbler position of life."

Now, it may be said that this only applies to the metropolitan district. [Sir J. TYRELL: Hear, hear!] Well, will the hon. Member for North Essex be satisfied if I give him the result of the last sessions throughout the country, exclusive of two millions of people within the jurisdiction of the Central Criminal Court? The comparative numbers of persons for trial at the Epiphany Sessions in England and Wales were, in 1849, 4,443; in 1850, 3,980; being a decrease of 463 persons, or above 10 per cent; and this includes those rural districts which the hon. Gentleman by his cheer seemed to intimate would give a very different result. With regard to Ireland the hon. Gentleman said very little. He put in a claim, it is true, to transfer a portion of the charge of the poor-law in Ireland to the Consolidated Fund—500,000*l.*, I believe, was the amount that he named. But as to the state of Ireland, the hon. Gentleman said nothing. I will not weary the House with a recapitulation of the statements of my noble Friend at the head of the Government the other night with regard to Ireland; but simply observe that while the state of that country is unhappily still very far from what we could desire, there are indications of improvement, and that this improvement is connected with the present price of food, enabling persons to maintain themselves without coming upon the rates for relief, or when they come upon the rates, diminishing by one-half the cost of maintenance per head in 1849 as compared with 1848. With regard to Scotland, the hon. Gentleman did not cite cases of distress there to strengthen his argument. But he asked me the other night for the report of the Board of Supervision of the Poor, which has since been presented, and from which it appears that while in Scotland there may be a gradual increase of the class of registered poor on the roll, on the other hand, there is a remarkable decrease in 1849, as compared with 1848, in another class of poor, whose condition is the best indication of the general state of the people of Scotland—I allude to a decrease in the number of casual poor. Sir John Macneill, the President of the Poor Law Board in Scotland, addressed to me a letter, dated the 29th of January last, bearing on this subject, from which I will read an extract. He says—

> "Information upon this subject (the state of the working classes in Scotland) from all parts of the country comes incidentally before the board in the course of investigations as to complaints of inadequate relief. The information derived from this source concurs with all the other information to which I have access, to establish the fact, that, except in some parts of the highlands and islands, the working classes of Scotland—agricultural, manufacturing, and mining—urban and rural, taken together, have not, during the four years that I have been connected with this board, been at any time so well off as they have been during the last half of 1849. There has been no other season within that time when the abundance of employment and the general adequacy of wages, with reference to prices, has enabled so large a proportion of the working population of this country to command an ample supply of the necessaries of life."

I do not, however, deny that agricultural distress exists, but it is chiefly among the owners and occupiers of land. I do not believe it is unprecedented in degree, and I believe it is less than has existed at many other periods that might be named; and certainly less now than it was this time twelvemonths amongst the agricultural classes. In some districts the rate of wages may have been reduced to a greater degree than is compensated for by the reduction in the price of food; but taking North Northumberland, a peculiarly agricultural district, and other districts in the north of England, I believe the reduction in the wages of even agricultural labour has been fully compensated by the reduction in the prices of the necessaries of life; and that, I think, will be found to be the general result of any inquiries made throughout the country. In some districts, indeed, the labourers' wages have been reduced to 6*s.* or 7*s.* a week; and in these cases, I think, the reduction has been made to press on the labourer in an unjust degree, and if occasioned by inability to pay higher wages, the pressure ought to have been proportionably relieved by a reduction of rent. With regard to the resolutions which the hon. Gentleman wishes to submit to a Committee of the whole House, I hardly anticipated that he would have totally omitted, except in a mere passing parenthetical reference, that important question connected with the poor-law—important, not so much as respects the interests of the owner or occupier of land, except indirectly; but most important to the agricultural population—I allude to the law of settlement, on which the hon. Gentleman was almost wholly silent. Having grown wiser this year than last, he does not now seek to transfer the local taxation at once to the general taxation of the country, intimating that he was aware that that step would lead to a national rate and the abolition of the law of settlement. But in going into Committee on the poor-law to relieve agricultural distress, the first point that ought to be considered would be the law of settlement. The evidence collected by the Committee on this subject, and the result of the additional inquiries instituted by my lamented friend Mr. C. Buller, and which have since been continued under the direction of my right hon. Friend the President of the Poor Law Board, prove very clearly that the law of settlement does operate to the detriment of the agricultural population, in placing them under undue restrictions, and preventing them from disposing of their labour to the best advantage, and that the greatest boon that could be granted to the agricultural population would be an alteration of the law of settlement. The valuable reports of the persons to whom these inquiries were entrusted, have just been laid before Parliament; and I trust that at no distant date, the Government, will be enabled to propose a measure on this subject founded on these investigations. But I should have thought, when the hon. Gentleman gave a notice of a Motion connected with the poor-law, that a subject so important as the law of settlement could not have been overlooked when it has a most direct bearing upon the interests of the great bulk of the agricultural population. I will not discuss the principles of the poor-law with the hon. Gentleman; but the foundation of his argument was, that the unjust and exclusive burden of the poor-rate has been placed upon the landed interest. [Mr. DISRAELI intimated his dissent.] The hon. Gentleman appears to have fallen into the same error as last year—namely, in confounding real property with the term "the landed interest." The hon. Member said that the landed interest had to bear the burden of 12,000,000*l.* of local taxation. Now, the hon. Gentleman when he was speaking of the property by which the burden of these 12,000,000*l.* had to be borne, was speaking, not of the landed interest, but of the great bulk of the real property of this country, which has been assessed to the poor ever since the statute of Elizabeth, He says it is not just that real property should bear this burden exclusively; but we have heard very little from the hon. Gentleman about the towns. He spoke, I think, of these burdens as exclusively pressing upon the "soil," and he talked of its going out of cultivation in some places under the pressure of these burdens. The hon. Gentleman also spoke of the increasing charges upon land, owing to recent Acts of Parliament which imposed these burdens on one description of property. The hon. Gentleman anticipated two formidable objections to his propositions, one of which he admits, and the other of which he combats. I will begin with the first. The hon. Gentleman admits the impossibility of taxing personal property equally with real property. The statement which the hon. Gentleman denies is, that real property from time immemorial has been subject to the poor-rate. He attempted to prove, that while there were landed estates which had been bought and acquired subject to the poor-rate, there were estates—and the hon. Gentleman instanced some in the family of my noble Friend — which were not acquired subject to the provisions of the 43rd of Elizabeth. The hon. Member does not deny that the great bulk of the landed property has borne the burden of the poor-rate since the 43rd of Elizabeth, but he endeavoured to draw off the attention of the House to the estates that might have been acquired or inherited before the Act of Elizabeth was passed. But even those estates have borne this burden ever since the statute of Elizabeth. That Act required that the property rated to the relief of the poor should be local, visible, and productive within the parish in which the owner resided. Now, it has been over and over again decided that these conditions could not coexist in the great bulk of personal property. The Legislature, therefore, practically excluded personal property from this burden for the relief of the poor. Disputes have, no doubt, arisen as to the liability of stock in trade. [Mr. DISRAELI: Hear, hear!] The hon. Gentleman cheers me, but he must know that stock in trade was never practically rated. It was attempted in some few instances, but the attempt proved utterly hopeless. The objections are so obvious that I scarcely need allude to them. You must go into tradesmen's accounts—you must have an investigation of every man's affairs, and if any inaccuracy is proved, the whole rate is liable to be quashed: on those grounds the annual Exemption Act is passed. On this subject I will read what is stated in the report on Local Taxation, which was laid before the House in the year 1844. In that report it is stated —

> "Stock in trade, therefore, was held to be liable as the only remaining species of property which complied with the conditions of being local, visible, and profitable. It was not, however, till a century and a half after the passing of the statute of Elizabeth that the liability of inhabitants to be rated for personal property was agitated in the courts of law. Lord Mansfield, whose judgments on subjects of poor-law were as admirable as those by which he gained so great a reputation in other matters, resolutely controverted the liability, insisting strongly that it was impossible to carry the liability into effect, and that if it were possible the practice would be highly impolitic. He described many of the anomalies which it would involve, and anticipated most of the practical difficulties which have since been experienced. Lord Mansfield said, in 'Rex *v.* Ringwood,' decided in the year 1775, 'In general, I believe, neither here nor in any other part of the kingdom is personal property taxed to the poor . . . . the justices at sessions should have amended the rate if they thought this property rateable; and then, on attempting to do it, they would have discovered the wisdom of conforming to the practice which they expressly state in the case, of not rating it. If they had tried to have amended it, how would they have rated this stock? Are the hops and the malt, and the boiler to be rated at so much for each; or is the trader to be rated for the gross sum which his whole stock would sell for? If the justices had considered, they would have found out the sense of not rating it at all, especially when it appears that mankind has, as it were with one universal consent, refrained from rating it; the difficulties attending it are too great, and so the justices would have found them. As to the authorities which have been cited, they are very loose indeed, and even if they were less so, one would not pay them much deference, especially as they differ, and the rules they lay down have not been carried into execution for upwards of 100 years. They talk of visible property—what is visible property? I confess I do not know what is meant by visible property. If every visible thing should be determined to come under that description, in that case a lease for years, or a watch in a man's pocket, would be rateable. Visible property is something local in the place where a man inhabits. But that does not decide what a man's personal property is. Consider how many tradesmen depend upon ostensible property only.'"

I have read that to show that when the hon. Gentleman denies that real property has been exclusively subject to the assessment for the poor-rate from time immemorial, he denies what I believe to be an incontrovertible position, that since the passing of the statute of Elizabeth, real property only has been by the common consent, as Lord Mansfield says, of mankind, the property assessed for the poor. As to the possibility of rating personal property, we are all agreed that it would necessarily lead to a national rate, without which it could confer no benefit on the agricultural interest, each parish still maintaining its own poor from its own resources. The hon. Gentleman has talked of gradually increasing burdens, owing to Acts of Parliament passed almost without observation, by which additional taxation has been put on real property; but the hon. Gentleman has omitted to mention one important fact, which is the growing diminution of those burdens. The hon. Gentleman did not state in terms that those burdens were increasing; but by his allusion to the Acts of Parliament in question it was to be inferred that he intended to represent that year by year real property was becoming more and more burdened by this parochial and local taxation. Now, what is the fact? I hold in my hand a paper, moved for in 1845 by the right hon. Baronet the Member for Ripon, and which, with the help of my right hon. Friend the President of the Poor Law Board, has been now continued to the year 1849. This return shows the total amount of money levied for poor-rates and county rates in England and Wales, and the sums expended for the relief of the poor, from 1813 to the present time. In 1813 it appears that the poor-rates and the county rates amounted to 8,646,841*l.*, and in the year 1849 to 7,674,146*l.*—so that there is within a fraction of a million less charged in 1849 upon real property for county rates and poor-rates than was charged in 1813. Now what was the amount of the population in 1813? In 1813 the population amounted to 10,418,000, and in 1849 the population may be computed at 17,715,340. Thus it appears that the number of persons paying the rate has very much increased, while the charge for the relief of the poor has been diminished from 12*s.* 8*d.* per head in 1813, to 6*s.* 6½*d.* (nearly one half) in 1849. So much with respect to the injustice of what it is said the owners of real property have a right to complain, on the ground of there being an increasing burden on them, which is totally disproved by the figures to which I have referred. From these figures it appears that the charge upon real property has been in the course of the last thirty-five years diminished one million, while the whole population has increased from 10,448,000 to 17,715,340. Now, I will come to another point connected with this subject, and one which the hon. Gentleman has passed lightly over, namely, the proportion which land bears to the other real property which is assessed for the relief of the poor. I understood the hon. Gentleman to take the land as constituting two-thirds of the real property so assessed. [Mr. DISRAELI: I beg the right hon. Gentleman's pardon, I did not advert to that subject.] I so understood him, but as he did not advert to the subject, it is the more necessary that I should advert to it, to show the proportion the land bears to other real property. I hold in my hand a report of the Commissioners of Poor Laws for 1844, in which the subject has been alluded to. It shows the increase of rateable property since the year 1813. In 1813 the property taxed amounted to 51,898,423*l.*; in 1843 the property taxed amounted to 85,800,735*l.* So that not only has the gross charge diminished nearly 1,000,000*l.*, and the population increased seven millions, but during the same period the whole amount of real property assessed for the relief of the poor has increased from 51,898,423*l.* to 85,802,735*l.* In 1813 we have 51,898,423*l.*, bearing a larger charge than 85,802,735*l.* in 1843. I have been able to bring those returns down to a later period than was quoted by the Chancellor of the Exchequer last year, and I find there has been a progressive increase in each subsequent year in the value of real property. The property assessable for the relief of the poor was, I said, in 1813, about 51 millions; in 1842, 1843, and 1844, it was about 85 millions; in 1845 about 86 millions; in 1846, 88 millions; in 1847, 89 millions; and in 1848 the real property assessed for the relief of the poor, bearing a diminished burden as compared with 1813, was 91 millions; showing, since 1813, an increase of 40 millions. I shall now call attention to the proportion of taxation which the land bears in comparison with the other real property assessed. On this point I will quote a passage from the same report. After stating that a very great increase had taken place in the yearly amount of rateable property in England and Wales, and that its annual progress was rapid, the Commissioners say—

> "It is further to be observed, that the increase in the annual value of rateable property arises, not only from the improved cultivation of the land, and its consequently increased productiveness, but also, to a great extent, from the large number of new houses and other buildings (such as manufactories and warehouses), as well as railways, canals, wharfs, &c., which are constructed from year to year. Accordingly, land, as such, pays a smaller proportion of the local rates in each successive year; and a larger proportion falls on the other sorts of rateable property. This fact appears from the table inserted in our ninth annual report, par. 27, which shows, that whereas the proportion of the poor's rates falling upon land was 69 per cent, and that falling on other property was 31 per cent, in 1826; the proportion falling on land was only 52 per cent, and on other property 48 per cent, in 1841."

By a return made up to the latest date, it appears that the proportion now borne by land is 45 per cent, and all other property 55 per cent. I hold in my hand a statement of the increase in the annual value of real property assessed to the property tax in England and Wales, in 1848, as compared with 1843. From that document I observed that in 1843 the total value of real property assessed was 85,802,735*l.* Of this the land represented 40,167,088*l.*; houses, 35,556,400*l.*; railways, 2,417,610*l.*; and all other property, 7,661,637. In 1848 the rated value of land was 41,179,713*l.*; houses, 37,282,140.; railways, 5,465,584*l.*; and all other property, 7,245,034*l.* Showing between 1843 and 1848, an increase in the value of land of 1,012,625*l.*; of houses, 1,725,740*l.*; ralways, 3,047,974*l.*; on all other property there is a decrease of 416,603*l.*; but the general increase in the value of real property amounts to 5,369,736*l*. The increase per cent on land is 2.5 per cent; on houses, 4.9 per cent; and on railways, 126.1 per cent. It thus appears that the proportion of the burdens now borne by the land, instead of being 52 per cent, as in 1844, is 45 per cent, while upon all other property it is 55 per cent. I cannot state the result better than by an extract from a document submitted to the Lords' Committee, on the burdens of land, in 1846, by Lord Monteagle, where it is said—

> "The rate has been decreasing, the property on which it is levied augmenting, the relative amount apportioned on land diminishing, and the whole amount expended, as compared with the population, has been greatly reduced."

I will not now enter into the question of the reductions that have been made of local taxation affecting real property, for the hon. Gentleman has confined himself to the poor-rate, but will only remind the House that in the year 1846 a portion of those charges that had been before local charges, amounting to a sum exceeding 100,000*l*. a year, were taken off the local taxation, and have since been voted by Parliament as an item in the annual expenditure. The hon. Gentleman has said that, having anticipated those two objections—the necessity for a national rate, if personal property was to be assessed, and the length of time this burden has been exclusively placed on real property—he claims for real property an exemption from this exclusive burden. He said that the land had been entitled to countervailing advantages which enabled it hitherto to bear the burden; but his claim is not confined to the land, but extends to property not enjoying the advantages of a protective system. But I must remind the hon. Gentleman that other branches of industry have been protected, and the only difference between them and land is, that agriculture was the last great branch of industry that lost that protection—the protection having been taken from others at former periods; so that no sound argument can be drawn from the removal of protection, to prove that this charge should now be distributed over other branches of industry which lost at an earlier period the advantage of protection. With regard to the resolutions of the hon. Gentleman, he proposes in the first instance that all the establishment charges of the poor-law should be transferred from the local taxation; that the amount of those charges should be no longer levied on the property assessable for the poor-rate, but that in England, Ireland, and Scotland the charges should be borne by the imperial treasury. The establishment charges are, I believe, 776,000*l*. [Mr. DISRAELI: The sum is 980,000*l*.] That amount is for one year only when the Removal Act occasioned some confusion in the accounts, and greatly increased the expense; but in the last year the establishment charges amounted as nearly as possible, to 776,000*l*. With regard to Ireland there is no detailed statement, but I understood the hon. Gentleman to state the whole at about a million and a half for the united kingdom. The hon. Gentleman says the transfer of those charges from the local to the general taxation, does not violate any principle; but I must say I differ with him. A portion of those establishment charges, I fully admit, do not stand on the same ground as money actually expended for the relief of the poor; but there are some of those charges in which there is great risk of extravagance. If you take off the local check, by transferring them to the public treasury, the charges might be indefinitely increased. The hon. Gentleman next proposes that certain other expenses should be transferred from the local taxation to the Consolidated Fund, amounting together, with the former sum, to 2,200,000*l*. With regard to some of those items, I am not prepared to say, that if my right hon. Friend the Chancellor of the Exchequer has an available surplus, I should oppose the transfer of any particular charge, to the transfer of which no objection on principle could be made, from local to general taxation; and in arguing against the proposition now, and asking the House not to accede to the proposal that has been made by the hon. Gentleman, let it not be supposed that I desire to prejudice the consideration of any future question, with respect to the transfer of some of those smaller charges. I have before alluded to the transfers that were made at the suggestion of the right hon. Baronet the Member for Tamworth, in the year 1846, from local to general taxation. I am not prepared to say, that between these charges which were so transferred, and some of the charges enumerated by the hon. Gentleman opposite, there is a distinction in principle which would prevent the transfer of them from being considered, or that if justice required it, or other circumstances rendered it expedient, they should not be transferred. And if, at a future time, there is any specific proposition brought forward with regard to those charges, I claim to be at liberty to come to the discussion of the question perfectly unfettered, and that I shall not be precluded from considering it by anything I now say. The hon. Gentleman proposes that this sum of 2,200,000*l.* should be transferred from the local to the general taxation; and he then, by his third resolution, proposes that in addition to that the whole amount of the charge for the relief of the casual poor shall be transferred from the local taxation. The hon. Gentleman did not attempt to give us any estimate of the amount required for the relief of the casual poor in England, Ireland, and Scotland. He proposed, however, to transfer the whole amount at once to the Consolidated Fund, and said, in passing, that this branch of relief required no local administration, and that no possible reason can exist why the relief of that class of poor should not be undertaken by the Treasury. [Mr. DISRAELI: My proposal did not apply to Ireland.] Then Ireland is to receive no benefit. Now I cannot conceive anything more objectionable than to transfer the charge for the relief of the casual poor to the public treasury. When I look to the report of the Poor Law Board, lately laid on the table of this House, I find, that owing to the local examination that takes place, and the measures adopted by boards of guardians to keep down this branch of expenditure, great reductions have been made. I believe that this would not be the case, if the expense was thrown on the Treasury, and I must therefore on this ground object to this proposition. But what, in fact, is the proposal of the hon. Gentleman? It is a transfer of a large amount of expenditure from local to general taxation. He draws a wide distinction between his proposal this year and last year. On the present occasion he says that the Chancellor of the Exchequer had an overflowing treasury, and he speaks of the surplus as being sufficient to meet the demand on the general taxation of the country, which the adoption of his scheme would create. Now, I deny that anything has fallen from my right hon. Friend that would justify the hon. Gentleman in saying that, to supply this 2,200,000*l.*, to which is to be added an indefinite amount for the relief of the casual poor, there is a sufficient surplus without the imposition of fresh taxes. But, suppose this surplus should be sufficient to meet the proposal of the hon. Gentleman, is it just, is it expedient, or is it reasonable, on the part of this House, without taking a general and comprehensive view of the interests of the country, to anticipate the appropriation of that surplus, whatever it may be? Will the House now pledge itself, without taking the view that is absolutely necessary, of the general financial position of the country—will they, without considering what relief (if relief be practicable) may be accorded to the agricultural as well as to other branches of the community, be prepared to say that with an uncertain surplus they will propose the imposition on the public taxation of the country, or the Consolidated Fund, of a sum which, leaving out one unascertained amount, exceeds 2,000,000*l.*, the largest amount which my right hon. Friend the Chancellor of the Exchequer said he had a right to anticipate. It is proposed that this charge should be thrown on the general taxation of the country, and that without taking a general view of the taxation and of the interests of this country. But what would be the value of this transfer to the persons of whom the hon. Gentleman speaks? We ought to know in the first place what the amount of relief to them would be, and what benefit they would derive from it. Taking the 2,200,000*l.*, and leaving out the item of casual relief, the land pays 45 per cent of that sum, and other real property 55 per cent. What great advantage, then, would the transfer confer on the agricultural districts, which, as the hon. Gentleman said, would enable them to bear up against the circumstances of the times? It would take off a portion of local taxation, of which their proportion is only 45 per cent; but it must be obvious that, if it were necessary, as I believe it would be, to impose new taxes, they would have to bear their share of the increased taxation, and thus lose in one way what they would gain in another. I believe the relief afforded to the agricultural interest would not amount to more than 3*d.* or 4*d.* in the pound at the most on the property assessed as land; and I do not believe the agricultural interest, after all they have heard of their impending ruin, and the measures proposed for their relief, will thank the hon. Gentleman for the relief intended to be conferred on them by his present proposition. The hon. Gentleman spoke also of the incidence of taxation, which is a material point in the consideration of this question. I do not know that I differ much from the view he takes of this subject. He said the incidence of taxation was on the land, and that there was a community of interest between the landowners and land occupiers. To a great extent this is true. I will read an extract on this subject from the Lords' report with respect to the burdens on land. The report says—

> "In estimating the amount of the burdens to which real property is subject, the Committee have not deemed it necessary to attempt to draw a distinction between the owner and occupier of the soil, as representing separate interests. In many parts of the country they are actually identical, the owners cultivating their own property. Letting land to capitalists, instead of the owner cultivating it himself, is only a different mode of management; and all charges levied upon the land, whether paid by owner or occupier, reduce the net profits of their joint capital invested in the cultivation of it. The capitalist hires the use of the land and of the buildings necessary for the cultivation of it, as an instrument by which he may turn his capital to profit; and the price he offers is regulated by the liabilities he incurs in the employment of such an instrument. When those liabilities are easily ascertained, the capitalist can precisely calculate the consequent reduction in the amount he would otherwise pay for the use of the soil; but in cases where the charges fluctuate, and an approximation to their amount can alone be made, he subjects himself to the variation of those charges during the term of his occupation."

This passage, and especially the latter part of it, appears to me to contain a fair statement of the incidence of taxation between the owner and occupier. When a certain sum is charged on land, such as that for tithe, it falls on the owner, and not on the occupier. The occupier gives so much more or less rent, according as he is to pay the tithe or not. As to the fluctuating charges on land during the terms of the tenant's occupation, he has an immediate interest in keeping them down. If there be any reduction of them during his occupation, there is no doubt the money goes into his pocket, for he pays a certain fixed rent to the landlord; but the moment he comes to make a new bargain, the landowner says the rates on an average are less than before, you must give me so much more rent than before, and the landlord gets the benefit in the shape of an increased rent. Ultimately, therefore, the benefit is gained by the owner of the land. The hon. Member has said that his propositions were recommended to the House by their justice. I do not think the hon. Member has correctly described his proposals as just ones. I have shown that those charges to which reference has been made have been imposed upon real property from time immemorial—ever since, in point of fact, the passing of the 43rd Elizabeth. I have also shown that the grounds put forward for the proposed exemption, on the ground of the removal of protection, might with equal propriety and justice be put forward by the other branches of industry in this country from whom protection had been withdrawn at an earlier period. When the hon. Gentleman referred to the Amendment of which notice had been given, but which has not been moved by the hon. Member for Orkney, he stated that he held in his hand returns which showed the amount of the burdens imposed upon land since 1800; but in order to give a complete view of the case, the amount of corresponding advantages derived during that same period from the operation of the protective system ought also to be shown. The hon. Member also recommended his proposition to the House on the ground of its practicability. In that opinion I do not concur with the hon. Member; for his plan would require a larger amount of disposable revenue than can be anticipated from any statement that has been made with respect to surplus revenue at the close of the financial year; and it would be obviously unjust to exclude all the other classes of industry from those benefits which they might claim upon a full consideration of the best mode of dealing with that surplus. But in addition to that objection to the plan, it is also open to that of the increased expenditure which would almost of necessity attend his proposed transfer of local charges to general taxation. But the hon. Gentleman has made this proposal as one, as he tells us, of a series of measures. That, Sir, is, I think, one reason why hon. Members should be extremely cautious how they give their assent to this the first only of a series of measures. We ought to hear something of the other plans in contemplation, and we ought to be told where the money is to come from which is to give relief to the agricultural interest, by means of those other measures which are yet in perspective, and which the hon. Member intends to submit to the House after we agree to this Motion. At all events, we ought not to be placed in the dilemma of having agreed to the first proposal of the series, when, probably, the remaining plans may be found, when brought forward, to be inoperative or impracticable. We ought to know to what the adoption of the first would lead us, and to what point it is that the hon. Member wishes us to follow him; and more especially is this caution necessary, since the hon. Gentleman has told us that he is not in the habit of stating out of the House what he would not be prepared to state in the House; and, although we have not yet been told in the House what any of those ulterior measures may be, we are, through the medium of statements made at meetings during the recess, not altogether without information as to what may, in all probability, be the next proposal in the series. I hold in my hand what purports to be a revised copy of the speech of the hon. Member for Buckinghamshire, delivered by him in the baronial hall of Castle Hedingham, in the county of Essex, in which—after adverting to the proposal which he now makes of the transfer of local burdens to the general taxation of the country, and which he states would be but a very slight benefit to the landed interest, and not that which it was to be supposed that he thought the agricultural interest were entitled to claim, or such as would enable them to bear up against the altered circumstances in which they were now placed—the hon. Member goes on to state that his other measures were of a far more important character, and urged the necessity of not allowing Parliament to assemble for a week before all England made itself heard in the demand for the establishment of a sinking fund. The hon. Member says—

> "My opinion is, that the best and most practical way of carrying that out is by doing that directly by a process which I pointed out formerly indirectly, namely, to lay an *ad valorem* duty upon all articles of foreign imports. That is the weapon, the charmed weapon, with which we shall win the battle. Put that weapon into the hands of any knight you may choose for the rencontre, and I stake my political reputation upon the success of the plan."

I ask the hon. Member, does he still stake his political reputation upon the success of a proposal of that kind?—and, if we are prepared to agree to his proposition, is the increased expenditure to be met by an *ad valorem* duty upon all articles of import, including, of course, the important article of corn? That is a question upon which I hope the hon. Member will give us a decisive answer before the House proceeds to a vote upon his present proposal. The hon. Member has spoken of the temper in which he has brought forward his Motion. I can assure the hon. Member that I have listened with gratification to his address, and admired the spirit and temper in which it was delivered, and I do not think there was a single expression in his speech which could give pain or offence to any person. I only hope that in the answer which I have endeavoured to make, I have also avoided anything which can be considered as even, I will not say, giving no offence to any portion of the community, but as indicating even a want of sympathy with that class of the community upon whose behalf he appeals to the House. I am glad that the hon. Gentleman, with the concurrence of those who sit near him, intimates that any system of protection avowedly for the purpose of increasing the price of produce, or for keeping up the amount of rents, is not to be thought of. I think nothing can be more prejudicial to the interests of agriculture than to lead those connected with it to expect any great relief from any measures which Parliament could adopt. I believe that it is mischievous, in the highest degree, to encourage this expectation. But, at the same time, I believe it to be impossible to separate the interests of the agriculturist from that of all other classes, or that there can be a permanent flourishing manufacturing community in any country where agriculture is permanently depressed. With respect to the existence of agricultural distress, to the extent which I have before stated, I concur with the hon. Gentleman, and I sympathise with, and participate also, to a certain extent, in that distress. But that is no reason why we should merely look to Parliament for relief, instead of adopting those means which are within our reach of meeting an altered state of circumstances, by applying that capital to the land which may develop its resources, and which, I believe, is now being applied more extensively than perhaps at any former period, with the view of increasing its production, and giving a large amount of employment to the labourer. That is the true remedy which ought to be applied under the present state of things. I trust that the result of the discussion in this House will be to undeceive those who have been deluded on such occasions as that in the old baronial hall of Castle Hedingham, listening to what was there termed one of the splendid corruscations of the hon. Member for Buckinghamshire; or at other meetings where they have been led to expect large and comprehensive measures of relief, or a return to the protective system, and where a desponding spirit has been encouraged by those whose interests alone, I should have thought, would have led them to encourage a different spirit. I trust that the discussion which took place upon the Address in answer to the Speech from the Throne, the effect of which the hon. Member for Buckinghamshire has admitted, and the discussion upon this, the first of a series of proposals to be submitted to the House, and those which may yet take place upon the subsequent propositions which the hon. Member may submit, with the view of completing the series, will have the effect of leading the agriculturists of this country to look to themselves for the remedy for those evils of which they complain — to look to the development of the resources of the land by the application of labour and capital to the soil, and the exercise of that skill and industry which, I believe, it is an injustice to the agriculturists to suppose that they do not possess, to an equal extent at least, with the other industrial classes of the country. For these reasons I feel bound to oppose the Motion of the hon. Gentleman.

Mr. CHARTERIS said, it was his intention to vote for going into Committee. It had been contended by the hon. Gentleman the Member for Buckinghamshire, and he supported that view, that it was unfair there should be greater burdens on real property than on personal property. The hon. Gentleman had based his claim on agricultural distress. He (Mr. Charteris) believed that distress was great, and he deplored its existence; but he differed from the hon. Gentleman to a certain degree as to the cause, and did not believe that it was permanent. But why should he come to the House *in formâ pauperis* when he believed he could come as a creditor deprived of his legal right? He thought the hon. Gentleman damaged his cause and prejudiced his constituents in making an appeal *ad misericordiam*, instead of to the justice of the House—an appeal which had never been made in vain. The question really at issue was, what was the law of England on this point? By the statute of the 43rd of Elizabeth, it was enacted that every man should be called on to support the poor in proportion to his ability. The right hon. Gentleman the Home Secretary had attempted to show that that was not the spirit of the law, and quoted a judgment of Lord Mansfield; but that noble and learned Lord did not say that that was not the law, but that it was impolitic to carry it into effect; and he (Mr. Charteris) also believed that that judgment was given prior to a judgment by Lord Kenyon on the same subject. The latter was given in 1795, and Lord Kenyon in it expressed his opinion, and it was the opinion of the other judges of his court, that personal property was liable to be assessed for the poor. The preamble of the Act which they annually passed for the exemption of stock in trade, showed what the spirit and the intention of the law was; but the law was not carried out—it was defeated by the Act to which he had just referred. The one was an ancient statute, just in principle and permanent in character; the other was, as it has been termed, a legislative violence —unjust in principle, temporary in character, and of recent date. And why was it temporary, except that it was so palpably and flagrantly unjust that no Minister ever proposed its enactment for a longer period than a year? As far as real property was concerned, the burdens had been increasing. He thought the landed interest had a just claim that personal property should bear its fair share. Since the 43rd of Elizabeth, numerous other burdens had been imposed, from which stock in trade, among other things, was exempted. Among these might be mentioned rates for lunatic asylums, borough watch rates, hundred rates, and several others of a similar character. They had, therefore, a just right to present their claim for some alteration in this state of things. They could not impugn the justice of the claim, but they said that the law exempting stock in trade and other personal property was passed of necessity, because the law as it stood before was practically inapplicable, and could not be carried out, so great were the difficulties; but he would ask why it could not be carried out, because, if he turned to Scotland, they had there a law for the support of the poor by what was called a system of means and substance, which was practically of the same effect as the law of Elizabeth. Mr. Jones, Mr. Senior, and others, who had been examined before the Lords' Committee, stated that personal property contributed to the support of the poor in Scotland, and in New England. Where there was a will there was a way; and if the difficulty of carrying out the law was grappled with, it would rapidly disappear: but he would admit, for the sake of argument, that the difficulty was that the law really could not be carried out. What then? They admitted that they could not deny the justice of the claim of the landed interest, and therefore that interest had a right to come to that House for compensation and relief in some other way. He did not assent to or defend the form in which the hon. Member for Buckinghamshire had proposed that the relief should be given. He (Mr. Charteris) was well aware of the argument that any attempt to defray any portion of these charges out of the Consolidated Fund would open the door to every species of abuse and extravagance, and that, under the operation of such a system, the poor-rates, which now amounted to about six millions, would soon double that sum. There were charges, however, which were not open to that objection. He admitted the validity of the objection, and believed with the right hon. Home Secretary that it was to our self-government and to our municipal institutions that we were indebted for our spirit and independence; and he should be sorry to see established in this country that bureaucratic and centralising system that prevailed on the Continent. But it appeared to him that the cost of the erection of lunatic asylums, of gaols, of workhouses, and the payment of the police, should not be charged on real property; and he would suggest, at the same time, that the police should be carried out on the system recommended by the Constabulary Commissioners—a general system. That would tend to check vagrancy, which so much interfered with the relief extended to the casual poor. Indeed, he was informed that in Essex the casual poor had decreased 90 per cent in consequence of the relief having been administered through the police. The remarks which he had ventured to offer to the House, were made in no hostile spirit towards the manufacturing or any other class, for he well knew that upon the prosperity of manufactures and trade that of the landed interest depended. It was to the rapid increase and growth of manufactures the land owed its value—a value that was daily increasing; but that had nothing to do with the nature of the case. He did not see why the fundholder or the manufacturer should not contribute his support to the poor as well as others. They had the same interest in the internal peace and tranquillity of the country as those who were dependent on land. If there were any disturbance in the manufacturing districts, it was not the land that was in danger, but the mills and factories, and the property of the manufacturer. If there were a rising in Yorkshire or Lancashire, that necessarily acted on the Stock Exchange, and was accompanied by a fall of the funds. He therefore urged the claims of the landed interest upon the House, convinced of their justice. It was no favour that they asked—they demanded a right, and called on the Government to carry out the law in letter and spirit as it was found in the Statute-book; and if the Government told them that they were unable, or that it was impolitic so to do, then, he said, they had a claim at their hands for compensation.

Mr. A. ANDERSON*: Mr. Speaker, in rising to explain to the House my reason for not now moving the Amendment on the Motion of the hon. Member for Buckinghamshire, which stands on the paper in my name, as well as the reasons which induced me to give notice of it, I must not omit, Sir, in the first instance, to express my humble acknowledgments to that hon. Gentleman for the condescending courtesy which he has evinced towards me, in kindly volunteering to enlighten my ignorance and instruct my inexperience, by statistical information on corn and taxation, extending to so remote a period as the year one thousand and five; and at the same time to assure him that his courteous offer has had no influence whatever on my determination not to press my Motion on the consideration of the House on the present occasion.

Until the speech of the hon. Member enlightened us on the subject, we were in the dark, Sir, as to the precise nature of the questions which he intended to submit to the House, if it should agree to go into Committee. He has now informed us that he intends to propose, that about two millions of the local taxation for the relief of the poor, to which landed property, in conjunction with other fixed property, has been hitherto liable, shall be transferred to the community at large. I therefore consider, Sir, that it will be more expedient and satisfactory to leave that question to be decided by the House, on its own merits, than to encumber it with an Amendment.

I now, Sir, beg to crave the indulgence of the House, while I attempt to state a few plain facts, explanatory of the reasons which induced me to propose my Motion as an Amendment on that of the hon. Member for Buckinghamshire; and which Motion I may probably yet feel it to be my duty to bring forward in a substantive shape.

In entering into this explanation, Sir, I hope to be able to render myself intelligible to the House, without the aid of the antiquarian statistics of the hon. Gentleman—although on some future occasion I may be induced to avail myself of his proffered instruction, when, perhaps, he may kindly favour me with the statistics of a corn monopoly of a still more ancient date, namely, that which brought a certain ancient people into the land of Egypt, and where they were, at the outset at least, treated by the corn monopolists of that country far better than the hon. Gentleman's party have treated the corn buyers of this country.

From the recent proceedings of that party, they appear to have two objects in view—namely, to induce the country to submit again to that system of restrictive commercial legislation from which it has so lately been emancipated; and also to permit them to remove from themselves, and to place on the people, a portion, or perhaps the whole, of the burdens which they allege are borne in an undue proportion by land.

Now, Sir, in order to enable the House and the country to consider these questions correctly, I submit that a preliminary investigation ought to be instituted, for the purpose of eliciting, first, the effect which the laws restricting the importation and consumption of foreign corn and provisions have had on the cost of the food, and on the industrial and social progress or condition of the people, during the period of thirty-four years that they were in force. And, in the second place, to ascertain whether landownership—as I may term it—has any well-founded claim to relief, on the ground of its bearing more than its fair proportion of the public burdens, or whether, in point of fact, it has not unfairly exempted itself from a proportion of taxation which it ought to have borne, and whether the claim for relief does not rest with the people as against the owners of agricultural property.

These, Sir, were the reasons which induced me to place my Motion on the Notice paper, and I will now avail myself of this opportunity to state to the House some of the facts by which I intended to support that Motion. And with reference again, Sir, to the attempt of the hon. Member for Buckinghamshire to demolish, by anticipation, so undistinguished an antagonist as myself, on my presumed ignorance of blue-backed literature, I venture to express a hope, that when I have finished my statement, even the hon. Gentleman will acquit me of having been altogether negligent in consulting it.

The history of the corn laws, Sir, with which I now propose to deal, is familiar to most of us—is in the personal recollection of many of us—and may be told in a few words.

In the year 1815, the country had returned to a state of peace, from a war with nearly all the world; a war which had cost the nation an enormous amount of blood and treasure, and in which it was involved by the landowning class themselves, to further a class policy, and for no object of national benefit or necessity. Now, Sir, we all know that the Parliament of 1815 contained a large majority of owners of land, and of nominees, dependants, and connexions of owners of land; and that the majority of that Parliament so composed—being apprehensive that the introduction into this country of foreign-grown corn, and of other agricultural produce used for human food, which the return to a state of peace would facilitate, would lower the high prices which the state of war had enabled them to obtain, and would consequently diminish their rents and incomes—passed a law, intended to maintain wheat at 80s. the quarter, and other kinds of grain in proportion, by preventing the people of this country from consuming foreign corn, until they, the landowners, could realise such prices for theirs. The importation for consumption, in this country, of various other articles of agricultural produce, such as beef, pork, live cattle, butter, cheese, &c., was also prohibited by high duties. The corn law, with some modifications as to the minimum prices which it was supposed could be maintained by it, continued from the year 1815 to the beginning of the year 1849, when it ceased; the enlightenment of the public mind, the apprehension of a famine, and the moral courage of a leading statesman, who sacrificed party and power to the good of his country, having effected its abolition.

Now, Sir, when we are asked to re-enact the corn law, and to return to the restrictive system of commercial legislation, it is surely proper to take a retrospective view of the operation of that law and system during the long period they were in force. And what, Sir, have been their effects? Fortunately, I have here the answer to that question, in the words of one whose opinion must command infinitely more respect than any opinion of so very humble an individual as myself. It is the opinion, Sir, of no less a personage than the noble Lord now at the head of Her Majesty's Councils. That noble Lord, after, no doubt, devoting his great abilities, and giving the most anxious consideration to the subject, declared and published to the world his deliberate conviction that the corn law had operated as

> —"the bane of agriculture, the blight of commerce, the source of bitter divisions among classes, the cause of penury, fever, mortality, and crime among the people."

Now, Sir, is it possible to imagine a greater national curse than these words describe? Not my words, be it remembered, but the words of the Prime Minister of England. Yet, to such a system, fraught with such disastrous consequences, would the hon. Gentleman opposite wish the country to return! And for what object? To mitigate the alleged distress of the agricultural classes, putting prominently forward, under that denomination, the tenant-farmers! Why, Sir, the tenant-farmers have been the chief victims of the landlord's law. They have been deluded from time to time—and many of them seem not yet to have awakened from that delusion—that it was possible to maintain a steady high price for corn by Act of Parliament. They were told by their landlords, in 1815, that wheat should be maintained at 80*s.* the quarter, and agreed to pay rents in proportion. They were told in 1822—the intervening seven years having shown that the price of wheat could not be permanently maintained at 80*s.*—that it should be maintained at 70*s.*, and they agreed to pay rents accordingly. In 1828, 64*s.* was promised to the farmers; and, lastly, in 1842, the price was promised to be maintained at 56*s.* And all these promises proved delusive. How men, possessed of ordinary intellect, could have been deluded into the making of bad bargains for so long a period, and in spite of experience, is, I confess, to me almost incomprehensible.

Now, Sir, I have been at some pains to form an estimate of the extent to which the cost of the food of the people has been enhanced by the operation of the laws for restricting the importation of agricultural produce. To ascertain this, with as much accuracy as possible, I have made a comparison of the prices of corn and provisions at the principal places abroad, from whence we have been accustomed to obtain our supplies when required, for a great portion of the period to which I have alluded, with the prices which ruled in this country at similar times. After deducting the cost of transit charges, and a fair commercial profit, I have considered the prices at which such foreign corn and provisions could have been placed in this country, free of duty, to be the prices at which all corn and provisions could have been obtained in this country. For this estimate, I have not only availed myself of the published official records, but of private mercantile information. And, without fatiguing the House by a mass of details, I will at once state the aggregate result: that result, Sir, is, that during the thirty-four years that this restrictive system was in operation, the people of this country have had the cost of their food enhanced, as compared to what it would have been under a system of free trade, to an amount not less than seven hundred and fifty millions!—a sum, Sir, that would have sufficed to liquidate the national debt. And, although the past cannot be recalled, I may, perhaps, be permitted the reflection—What would have been the condition of this country had she possessed, in 1815, a Parliament truly representing the interests and feelings of the people, and which, legislating for the benefit of the whole community, instead of for the benefit of a dominant class, had adopted enlightened principles of commercial policy—had removed all impediments to the freedom of exchange—and had even accompanied that measure by the imposition of a direct tax, to the amount of from twenty to twenty-five millions annually, to be applied to the reduction of the national debt—can there be a doubt that the people of this country would have been much more prosperous, under the operation of such a tax, than they have been under the operation of the landlord's tax, and that the British nation, freed from the incubus of that debt, would, by this time, have become the pride and envy of the world?

Now, enormous as this amount of impoverishment of the people by the enhancement of the cost of their food may appear, it is by no means, Sir, I consider, the measure of the disastrous effects of these restrictive laws. They have, by retarding the industrial progress of the people, not to speak of the moral degradation which they have caused, inflicted an aggregate of evil far exceeding the pecuniary sacrifice which I have just stated.

To illustrate their operation in preventing the development of our industrial resources, I will beg permission of the House to state an incident which occurred within my own experience.

The most northern of the two groups of islands which form the very peculiar county, Sir, which I have the honour to represent in this House — namely, the Shetland Islands, do not, by reason of the inferiority of their soil and climate, produce grain for the adequate subsistence of more than about one half of their population. They obtain such additional supply as they can afford to purchase, by exchanging for it the produce of their staple manufacture (as I shall term it—although it is not cotton goods nor hardware, but dried fish), a manufacture which they carry on to a considerable extent, drawing their raw material out of the seas which surround their coasts. Now, some years since, an establishment, in which I was concerned, was formed in these islands, for the purpose of improving their fisheries, and of opening up the extensive markets of Spain to them, from which the previous inferior mode of cure had nearly shut them out. Soon after this establishment had been formed, I received a proposal from some Spanish merchants, offering to purchase a large quantity of fish, at a price nearly one-third higher than these islanders had for many years previously been able to obtain, on condition that I, on their behalf, would receive payment for it in good soft Spanish wheat, to be delivered at the islands at the rate of 35*s.* the quarter—a price which, could the wheat have been delivered free of duty, would have given these people good Spanish flour at a cost of about one-third less than they were then paying for common Scotch meal. But, Sir, at that time the sliding scale was in active and somewhat erratic operation — apparently graduating upwards. Prudence would not permit me, under such circumstances, to venture on such a speculation. The Shetlanders could only receive hard dollars from the Spaniards for their fish. The order was, in consequence, diminished to a comparatively small quantity of fish; and thus these poor people were not only deprived of a cheap supply of what they most urgently wanted—bread, but were also deprived of an advantageous outlet for the produce of their industry. I should not, Sir, have adverted to this circumstance, only that I consider it to present an epitomised illustration of the operation of the late corn laws on the whole kingdom. Great Britain, like the Shetland islands, does not produce corn sufficient for the adequate subsistence of her population. The additional supply required can only be procured by exchanging for it the produce of her manufacturing industry; and the corn law, for thirty-four years, besides enhancing the cost of food, cramped the industry of the whole kingdom in the same manner as it did that of the Shetland islanders, in the instance which I have mentioned.

The operation of the restrictive system on the social progress and moral condition of the people, has been ably demonstrated by the right hon. the Secretary of State for the Home Department, and I shall, therefore, only beg to refer those hon. Gentlemen who may not have satisfied themselves on this part of the question, to the public records, which will show them that when bread is dear, committals are numerous, and *vice versâ* — clearly proving that scarcity is the parent of crime as well as of disease and death.

I now, Sir, beg the attention of the House to a few facts which have more direct reference to the Motion of the hon. Member for Buckinghamshire.

The hon. Member proposes that we should revise the poor-rates, in order to relieve the agricultural classes; and he further indicates, that if this House should agree to go into Committee, he will propose that a sum of two millions annually shall be levied on the community at large, and be appropriated to the relief of these classes. I shall take leave to translate "agricultural classes" into "land-ownership," which I consider the real interest to be benefited by his proposal.

Now, Sir, I am perfectly ready to support him, if he will go into a general revision of our public burdens; and if he can show, on a fair investigation of that subject, that land has borne, and is bearing, more than its due proportion, I will be the first to concur in such an equitable adjustment as will relieve landed property of any portion of taxation, local and general, which it may be burdened with to a greater degree than other property and industry. But, Sir, as a representative of the people in this House, I do most firmly protest against the mode of adjustment proposed by the hon. Gentleman—namely, to lay his finger on one particular item which he may consider a peculiar burden on land, and overlook how land is situated as regards the other branches of taxation. I insist, Sir, that if he wishes to disturb the account as between land and the nation, he must open the whole account, and let us see whether land, if bearing peculiar burdens, is not also enjoying peculiar and unfair exemptions?—whether, availing itself of its predominant but illegitimate power in the Legislature, it has not contrived to throw upon the community a large portion of taxation to which it was in justice bound equally to contribute?

And I will now, Sir, reciprocate the hon. Gentleman's kind offer of statistical information to me by stating, for his information, some of the items of exemption for which I consider land to stand indebted to the nation. The first items which I shall take, Sir, are the probate and legacy duties. These duties were first imposed in the year 1797. The Minister of that day intended to impose them on real as well as on personal property; but finding he would in that case encounter the opposition of the landed interest in Parliament, and would, consequently, be unable to carry his measure, he was compelled to purchase the concurrence of that interest by sacrificing to it the interest of the nation; and he agreed to exempt real property from these duties, throwing them on personal property only. Now, it is estimated that the capital of real property — that is, land and houses held under freehold or copyhold tenure — has, since 1797, been equal in amount to the capital of personal property; and as the the law of nature has made no exemption from the debt of nature in favour of the possessors of landed or real property—and, therefore, the ratio of mortality and succession must be the same among each class—I consider, Sir, that the amount of these duties, which has been levied on personal property, must be a tolerably correct measure of the amount of exemption which real property has unjustly obtained for itself. The average annual amount of these duties, for a number of years past, has been rather upwards of 2,000,000*l.* The amount levied on personal property, up to the end of the year 1845, according to the evidence given by Mr. Pressly, the Secretary to the Board of Stamps and Taxes, before the Committee of the other House of Parliament, which sat in 1846, to inquire into the burdens on real property, was 69,528,000*l.* Adding to this sum the amount levied during the four years which have elapsed since 1845, at the rate of 2,000,000*l.*—or say, in round numbers, 8,000,000*l.*—will make the total amount levied on personal property, and, consequently, the total arrear of exemption, for which the landed interest stands equitably indebted to the nation at large, 77,528,000*l.*

Now, Sir, I am aware that the pretext set up by the landed interest, and which is still adduced as a ground of exemption from these duties, is that the stamp duties on the transfer of landed property are much heavier than on the transfer of personal property. I shall soon show how much this argument is worth. The largest item among the stamp duties, is that returned under the head of Deeds and Conveyances, which amounted, for the financial year 1847–8, to 1,703,042*l.* But the same Gentleman, before the same Committee to which I have just alluded, states, in answer to question 7,002, that but a small proportion of this amount is produced by stamps on documents connected with land; that it is chiefly produced by leases, sales, and transfers of leasehold houses, and other personal property. I think, therefore, that if we allow the odd 703,042*l.* to stand as the proportion of it applicable to land, it is a liberal estimate. We then, Sir, have a balance of this item of 1,000,000*l.* as contributed by personal property; and when to this is added the stamp duties levied on other property, and on the ordinary transactions of trade and industry, namely—bills of exchange, bankers' notes, receipts, marine insurances, licenses, newspapers, fire insurances, advertisements, stage and hackney coaches, and railways, amounting in the same year, 1847–8, to 3,430,388*l.*—we shall have, Sir, the sum of 4,430,308*l.*, contributed under the head of stamp duties by personal property, trade, and industry, against only 703,042*l.* contributed by land. So much, Sir, for the claim of land to be exempted from 2,000,000*l.* per annum of probate and legacy duties, on the ground of an excessive contribution in stamp duties.

The next item to which I shall advert, Sir, is the exemption of horses used in agriculture from the horse-tax. If a small tradesman or huckster use a horse and cart for the purposes of his trade, he must pay a tax of 1*l.* 8*s.* for them; or if he use a horse only, he must 10*s.* 6*d.* But let that horse be sold to a farmer, and transferred to agricultural purposes, he becomes immediately a privileged animal, and pays no tax whatever. Now, I have the evidence of the same Gentleman, the Secretary to the Board of Taxes, to refer to on this item. He estimates the number of horses at one million, which, at 10*s.* 6*d.* each horse, will give the amount of this exemption at 525,000*l.* per annum, which, as it enables the farmers to work their farms at so much less cost, enables them to pay to the landlord so much more rent, and consequently goes into the landlord's pockets.

The property and income tax is another burden from which land has contrived to obtain a considerable exemption indirectly, through an apparent relief to the occupying tenants. The tax on income arising from the occupancy of land is only half the rate of that levied on other incomes; and all such incomes are entirely exempted, unless they amount to 300*l.* and upwards, whereas other incomes are only exempt, if under 150*l.* Now the amount of property tax levied under Schedule A, being that on rent, is 2,600,000*l.* The Board of Taxes, in estimating the farmer's profits or income, take it as half the amount of the rent he pays; therefore, if the rate of assessment was the same on income arising from the occupancy of land as it is upon income arising from the property in land and other incomes, and there were no exemption for farming incomes, except those under 150*l.*, the income tax on this description ought to be equal, or nearly so, to half the amount levied under Schedule A, or, say, 1,300,000*l.* per annum; whereas the amount of 300,000*l.* only is returned as obtained under this head, leaving an apparent benefit to the farmer, but in reality to the landlord, of 1,000,000*l.* But as there may be some farming incomes under 150*l.*—although I think the farmers who can maintain their families and servants upon less than that must be very few—and as a part of Schedule A includes rent on houses, I will only estimate the benefit of this exemption at 750,000*l.* per annum.

Another item of taxation on which land has an exemption is the window tax. This tax amounted, for the year 1848–9, to 1,544,896*l.* Farm-houses, on farms not exceeding 200*l.* a year rent, are exempt from the window tax; and I estimate this exemption at a fifth part of the whole, or say 300,000*l.*

On the stamp duty on fire insurance, land has also taken care to have an exemption in its own favour. This stamp duty produces rather upwards of one million per annum. Insurances on agricultural stock, &c., are exempt from this duty; and, I think, if I estimate this exemption at one-fifth of the tax, say 200,000*l.* per annum, it is not an exaggerated estimate.

I now, Sir, come to the last item in my account, bricks; and here, again, I find the landlords sticking (to use a common phrase) like bricks to their own interests. Bricks, Sir, as is well known, pay a rather heavy excise duty, when used for any other purpose than the improvement of land. But when used for that purpose, such as draining, &c., they are exempt from any duty. The duty on bricks has produced, on the average of the last ten years, about 600,000*l.* The excise take no account of bricks for draining; but if I take the exemption in favour of the improvement of land at one-sixth, or say 100,000*l.* per annum, I think it is rather under than over the mark.

I shall now, Sir, proceed to sum up this account, distinguishing the amount of annual exemption, and of arrears due, which will stand as follows:—

	Annual Exemption.	Arrears.
Probate and Legacy Duty	£2,000,000	£77,528,000
Horses	525,000	17,680,000
Income Tax	750,000	3,800,000
Window Tax	300,900	10,500,000
Fire Insurance	200,000	7,000,000
Bricks	100,000	3,400,000
Total	£3,875,000	£11,908,000

Or, say, in round numbers, four millions annually of taxation, which land has unjustly relieved itself from, and about one hundred and twenty millions of arrears of these exemptions, which I contend, before the landed interest can claim any abatement for any peculiar burden, it is bound in equity to make good to the community.

Such, Sir, is the national account which I humbly beg to tender for adjustment to the hon. Gentlemen opposite. I do not ask them to take it on my estimate, but I am ready to have it thoroughly investigated by a parliamentary inquiry; and I feel confident the balance, as I have stated it, will be fully established. And I consider not only this inquiry, but that into the effects of the late restrictive system, to which the nation is called upon to return, highly necessary; because, Sir, the hon. Gentleman, the Member for Buckinghamshire, has not told us that he intends to accept this remission of poor-rates in favour of land as a compromise for the relinquishment of what he calls protection. On the contrary, Sir, he has told us very distinctly that they will never abandon that object. I recollect that the hon. Gentleman, in one of those brilliant perorations with which he knows so well how to point his eloquence, told us last Session, in a very solemn and emphatic tone, that he and his party, although then defeated, would return again and again to the charge; that they would conquer, and once more on the national banner should be inscribed the words—regenerated and protected England!

Now, Sir, permit me, in conclusion, to tell the hon. Gentleman that I am a firm believer in the latter part of his prediction; but an absolute sceptic as to the means by which he indicates it is to be accomplished. I do believe, Sir, that the day is not distant when our country shall be able, with truth, to inscribe on her banner the words, regenerated and protected; but that regeneration and protection, Sir, will not be effected by laws made to impede commerce and paralyse industry—to enable one class of the community to plunder all the others—but, Sir, by that augmented power, moral and material, resulting from the unfettered development of her own magnificent resources!

Mr. SEYMER said, that as he represented one of the suffering agricultural districts, he did not wish to give a silent vote upon that occasion. He agreed with the hon. Gentleman the Member for Haddingtonshire, that the claim then advanced on behalf of the agricultural body was founded in justice; but he also thought that it was greatly enhanced by the distress which at present prevailed among that body. The farmers were proverbially a loyal body; but he begged leave to observe, that in this, the nineteenth century, they should look for no romantic feelings of loyalty, and that loyalty was best sustained by a sense of well-being, and an attachment to institutions under which men prosper. Farmers could not be expected to be animated by a very active spirit of loyalty if they suffered distress, and with distress injustice. The farmers and the agricultural labourers of Dorsetshire were told that their poor lands had been forced into cultivation by protection, and that those lands ought to be converted into sheep-walks. What, he would ask, would be the situation of a farmer with capital, occupying 1,000 acres of these poor lands, if they were to become sheep-walks? And how many labourers would 1,000 acres of sheep-walk keep in employment? About two; while they would support a great many if under tillage. It was, therefore, not merely a landlord's, but a farmer's and a labourer's question as well. The hon. Gentleman the Member for Manchester might tell him that he represented 6,000 stupid farmers, while the hon. Gentleman himself represented 12,000 enlightened tradesmen. But let them look at what passed in the United States. In that country the agriculturists were free-traders, and the manufacturers were protectionists, each of these parties forming their opinions in conformity with their sense of self-interest. The manufacturers of this country relied on their capital, and their command of coal and iron, for a continuance of their prosperity; but, again, let them cast their eyes on the other side of the Atlantic. There they would find the same skill, coals and iron more abundant, and cotton grown on the spot; and the moment they could get cheap labourers, they would be able to undersell the manufacturers of this country, who would then be very glad to have protection back again. He was sorry to see this made a class question; but if it must be so, he, for his own part, would stand by his class, which he also believed to be the most important class in the country. If the match was to be, all England against Lancashire and the West Riding of Yorkshire, he would play on the side of all England; and he believed, in spite of the hard hitting of the hon. Member for Manchester, and the crooked bowling of the hon. Member for the West Riding, that all England would win. The farmers asserted that their distress was caused by recent legislation, and by local burdens. With regard to the first, they had the authority of the right hon. Baronet the Member for Tamworth, who in 1840 said—

> "That any such disturbance in agriculture as must follow a total repeal of the corn laws, must lead to unfavourable results, not only to the agricultural interest, but to all those numerous classes which were identified with that interest."

He quoted the right hon. Baronet's words, because they were expressed in better language than he himself could use; secondly, because they were spoken after many years of official experience; thirdly, because the argument had never been answered, even by the right hon. Baronet himself; fourthly, and especially, because what the right hon. Baronet had predicted had come to pass. It was not to Hansardise the right hon. Baronet that he made that reference; but because, in then expressing the views he (Mr. Seymer) now entertained, the right hon. Baronet stated the results of his previous experience. He could not help feeling some indignation when he heard all who maintained protectionist principles stigmatised as fools. At all events, it could not be denied that they held opinions which, as lately as 1842, and since that time, were entertained by the right hon. Baronets the Members for Tamworth and Ripon. The farmers said their distress was occasioned by recent legislation, and an excessive importation of foreign corn. If the right hon. Baronet the Member for Tamworth were present, he might ask, had any one too much corn? No, many had not enough, as any one might see from letters which had appeared in the *Morning Chronicle.* Such was the competition here, that he feared it would always be the fate of a large portion of our population, whatever might be the price of corn, to be on the verge of starvation. The question was, were prices so reduced as not to be remunerative to the British grower? because if they were, the only result would be, to displace English corn, and throw English labour on the labour market, and so reduce the wages of the whole. The right hon. Baronet the Secretary of State for the Home Department said the distress was but temporary; and that, he supposed, was the reason why so little was done to alleviate it. The reason why it was thought to be temporary, he presumed, was because corn was on the point of rising. He could only say that the arguments on the other side were most extraordinary. They appeared to be afraid of their own principles. If the axiom were true, that we ought to buy in the cheapest market, then we could not buy too cheap. And yet hon. Members had tried to show that the prices of corn in this country would rise, though they ought to have tried to prove that they must fall. It was said that present prices were exceptional. Everything was said to be exceptional now-a-days. Thus, we had two seasons, one of them very good, the other very bad, and both of them were spoken of as exceptional. So they were in one sense; but it was remarkable that the effect of both was to lower prices. The fact was, that the other side was composed of two sections: first, the right hon. and hon. Members on the Treasury bench and around it, who were the true friends of the agricultural interest, and were anxious to save it from damage; secondly, those hon. Gentlemen below the gangway, the free-traders proper, as he might call them. The latter were the more logical, for they had asserted in former days that it would not signify to this country if not a blade of corn were grown in it, and we had heard nothing from these about prices rising. They had been told that the distress could not be so great, because the poor-law returns were favourable. But there was a great fallacy in this. The position of the farmer was such, that it cost him less to employ labourers at low wages, than to keep them in the workhouse. But how long could such a system last without destroying the capital of the farmer, and the interests of the labourer? And yet they were told that it was a landlord's question. With regard to the proposal of the hon. Member for Buckinghamshire, the right hon. Baronet opposite, the Home Secretary, had said that in these charges was involved the principle of local control. But there was another principle involved — that of central control in London. He (Mr. Seymer) knew that in a union with which he himself was connected, an attempt was made to reduce the establishment charges by reducing official salaries. They were obliged, however, to consult the Poor Law Board in London, which declined to accede to their request, and great dissatisfaction was occasioned by this refusal. This was another reason why it was extremely expedient that the charge should be thrown on the Consolidated Fund. The right hon. Baronet seemed to intimate that if this concession were made, it would be the means of preventing relief being afforded to other classes. If the Chancellor of the Exchequer, however, should be deficient in funds, he might have recourse to the hon. Mover of the Address for his 90,000,000*l.*, or the hon. Member for Glasgow for his 100,000,000*l.* The right hon. Baronet had stated that a great part of real property consisted of houses. It was certainly true that the owners of houses had not, like the farmers, complained of the weight of local taxation; but the reason was, because they had lost nothing by the recent proceedings, but on the contrary were large participators in this 90,000,000*l.* They were told that they must argue this question on the assumption that protection would never be granted; but he had heard different language from some free-traders with whom he had conversed in the country, and who said, that if no change for the better should take place in the prospects of the agricultural interest, they would be disposed to reconsider the question. This he had heard stated within the last three weeks by intelligent free-traders in the country—men who were free-traders when hon. and right hon. Gentlemen on both sides of the House were protectionists—and the only dispute was, whether they should have a sliding scale or a fixed duty. It was too bad, therefore, to be told by free-traders of four or five years' standing, that they never would have protection again. He felt confident that in the end justice would be done. He intended to have made a few observations in reply to some parts of the speech of the right hon. Baronet the Secretary of State for the Home Department, but, as there were many present who wished to address the House, and as he understood a general desire to exist that a division should take place that evening, he would occupy them but a few moments longer. He was not very sanguine as to the result of the night's division. He could not forget that 311 Members had declined to state that the agricultural classes were suffering from recent legislation, or that their distress was aggravated by local burdens. In the end, however, he reckoned on success, for he had justice on his side. If they maintained that the agricultural interest was to have no protection and no relief from local burdens—if they still persisted in maintaining their vexatious excise regulations, which were altogether inconsistent with the very first principles of free-trade—he felt assured that interest would defeat them before the end of the Session.

Mr. RICE said, that agreeing with much that fell from the hon. Proposer of the Motion, had he, instead of moving for a Committee of the whole House, moved for a Select Committee to consider the burdens thrown upon the landholders, he would most decidedly have supported his Motion. But he begged to tell hon. Members, that if they expected to obtain relief from the burdens that oppressed them, they should entirely abandon all hope of returning to protection. As long as hon. Gentlemen on the opposite side adhered to the cry of protection, so long would they fail to obtain relief; for that House would never consent to consider the question until they abandoned the cry altogether. He recollected that before the measure of free-trade was talked of, either by the right hon. Baronet the Member for Tamworth, or the noble Lord at the head of the Ministry, he (Mr. Rice) had declared himself in favour of an alteration in the law. However, he did entertain the belief that the laying on of a small amount of duty for purposes of revenue would be a satisfactory way of arranging the question. He could tell hon. Gentlemen opposite, that the farmers of England were much in advance of them on the present question. He held in his hand a copy of resolutions adopted at a numerously attended meeting of the members of a farmer's club in the Isle of Thanet. Now, what conviction did the members of that club arrive at? Why this, that "the battle of protection had been fought, and lost;" and such, he should say, was the conviction on the minds of hon. Members opposite, though they had not the manliness to confess it. He was not going to discuss measures of relief with these Gentlemen; but he should say he derived much satisfaction from the speech of the right hon. Baronet the Secretary of State for the Home Department on that evening, particularly where he pledged himself to aid in the consideration and reduction of all burdens, but in a practical way and form. He should say he expected more from that declaration of the right hon. Gentleman, than from the speech and Motion of the hon. Member for Buckinghamshire. He was favourable to direct taxation. He agreed with those resolutions, that farmers should be placed in Schedule D of the Income Tax. They also proposed that the county and parochial rates should be charged on property in general. He regretted he could not support the Motion of the hon. Member for Buckinghamshire, because he concurred in some of the opinions he had expressed. He did not concur with him on the question of tithes, but he thought it might be made matter of special inquiry. The resolutions he had referred to desired that the excise duties on bricks and malt should be removed altogether; if this were done, he (Mr. Rice) would supply the deficiency by direct taxation if necessary. His object in rising was to say that hon. Gentlemen opposite would have no claim to these alterations until they abandoned all idea of returning to protection. Wishing to see all these questions considered respectively on their merits, and not to be dealt with in one resolution, he must oppose the Motion of the hon. Member for Buckinghamshire.

Sir J. TYRELL assured the hon. Gentleman who had just sat down that he was remarkably well satisfied with the speech which he had thought proper to make—as satisfied as the hon. Member himself could possibly be. He was not so sure, however, that he could consider it as a perfectly disinterested speech; for without imputing improper motives, he could not help remembering, when the hon. Member was analysing the resolutions of the Isle of Thanet Farmers' Club, that the Isle of Thanet was not very far from Dover. He therefore could not give the hon. Member credit for such great independence and utter absence of all considerations for the future as the hon. Member could wish. The hon. Member thought the speech of the right hon. Baronet the Secretary for the Home Department as a triumphant answer to that of the hon. Member for Buckinghamshire; but he must remind him that the hon. Baronet *bonâ fide* admitted the justice of, at least, one-half of the propositions contained in that speech. It was true that the farmers, as a body, had refused to petition the House, and their loyalty had been questioned; but they were justly incensed at the want of respect with which they had been treated in the Speech from the Throne. He himself had been present at many of their meetings, and was quite ready to abide by every statement which he had made at any one of them. The agriculturists did complain of, he would not say the intentional insult, but the great disrespect with which their claims were considered by the First Minister of the Crown. The language was that there were complaints from certain landowners and occupiers of the soil—

Lord J. RUSSELL observed, that the passage was—

> "It is with regret that Her Majesty has observed the complaints which, in many parts of the Kingdom, have proceeded from the owners and occupiers of land."

Sir J. TYRELL: It was stated that they complained. Now this was followed by a statement of the great consumption of provisions and almost luxuries of life by the great mass of the country—who had so bodily rejoiced, as it were, and had been in the receipt of such immense advantages from the extreme depression in the price of provisions. But this, in fact, was the same description of rejoicing and satisfaction which you saw every day in the papers when a man broke into a larder or robbed a till. They had been told to look to the Lothians—to the agricultural portions of Lincolnshire, and, again, to Norfolk and Suffolk. Now he submitted that those counties had spoken out, and the right hon. Baronet the Home Secretary had not succeeded, after all, in proving that the interests of agriculture were not suffering deplorably from the free trade in corn. The diminution in poor rates, to which allusion had been made, to the amount of nearly 400,000*l.*, had arisen from the great economy introduced into the management of the machinery of the poor-law. He was acquainted with the circumstances of the unions in his own immediate district. In Braintree he admitted that the number of people in the workhouse had decreased; but this arose from the activity of the silk trade in the neighbourhood. [*Ministerial cheers.*] Yes, the silk trade had been most prosperous during the past year; but the silk trade was protected by a duty of 15 per cent. In Witham and Maldon, which were agricultural districts, the case was far otherwise, and a considerable increase had taken place in the number of paupers within the last six weeks. When he was told that the prospects of agriculture were not so gloomy as some supposed, he answered that they were trading on the forbearance of the farmer. The hon. Member for Dover had told them that unless they were prepared to accept free trade as final, their complaints would not be listened to though though they were founded on reason. [Mr. Rice: I merely said I thought they would have no chance of success.] Exactly. The agricultural interest regarded it in precisely the same point of view, and therefore did not load the table of the House with petitions, but looked elsewhere. There was the hon. Member himself, for instance—he gave them the benefit of his speech, but he refused them the benefit of his vote. To answer the Speech from the Throne, they put forward a Gentleman of considerable ability, and who, those on his (Sir J. Tyrell's) side of the House thought, had been treated with some neglect—the hon. Member for Wolverhampton. They had brought him out, as one of the brightest weapons in their armoury, to state their case, and finally dispose of the question. He would call him, if the hon. Member would permit him, on this occasion, "the destroyer;" and the hon. Member for the West Riding he would call "the divider of the spoil." He had read the other day that the noble Lord at the head of the Government had asked with the greatest triumph and confidence, whether they would be prepared to face a state of things in which the poor man would have to pay 1*s.* 0*d.*, or 3*s.* a week more for his bread? Now he would answer that by this proposition. The hon. Member to whom he had just alluded held an office which brought him in 1,200*l.* a year—no sinecure office certainly. Now he could understand if the hon. Member could by legislation cause this 1,200*l.* a year to be equal to 1,500*l.* or 1,600*l.* a year—he could quite understand his readiness and preparation to face that—that proposition quite met his understanding. He had stated before that the hon. Member for Wolverhampton and the hon. Member for the West Riding ought at this moment to be on the Treasury bench, sitting side by side with the hon. Member for Westbury. Now he should like to know—he was curious to know—what offer had been made to him with reference to his acceptance of office. He could not believe that his merits had been altogether overlooked. This much he knew, that a proposition had been made by the Government to the hon. Member for the West Riding to take his seat on the Treasury bench. He hoped the noble Lord opposite would excuse his putting the question, but he wished to ask him whether such was not precisely the fact? The noble Lord smiled; but although he had had the pleasure of seeing the noble Lord smile for years, he was not able to tell what his smile meant. He put this slight interrogatory, had the hon. Member for the West Riding been offered office, or had he not? The noble Lord was silent. Then silence gave consent. He would go a step further, and tell the House and the country that there was an hon. Gentleman deputed—this was no breach of confidence—to wait upon the hon. Member for the West Riding and offer him office; and he would tell them his answer, which was marked by that sagacity and good sense which, he admitted, distinguished the hon. Member. The hon. Member said, "I cannot accept office, for if I do, my power with the people is gone. I should no longer have that power, either in this House or the country, and should be displaced from that station which I hold, in the manufacturing districts particularly." Now this was a great advantage, because the noble Lord traded in those sentiments which, from time to time, filtered through the Manchester Chamber of Commerce, and yet was not encumbered by any of those inconvenient speeches which they read from time to time as delivered in that place. Then again the hon. Member for the West Riding showed great sagacity in his commercial manner of handling the question. He was not aware at the time that he had the prospect of so great a reward as 70,000*l.*; and that immediately after declining the offer of the Government he was put in possession of that sum. He thought, as the hon. Gentleman had received so great a dividend, he was perfectly right to acknowledge it in the manner he did. Again, the principles of free trade had been extraordinarily developed at a recent meeting in that town. It was a meeting of the Peace Society, at which a great bill-broker was in the chair. That gentleman did not see the question in the same light as the hon. Member for Manchester. He said, "Oh, dear, I made a bid for the Russian loan." Now the doctrine was, that although they admitted, and acknowledged, and approved of the commercial principle of furnishing the Russian with coats, waistcoats, and breeches, in the language of the tariff "partly made up;" yet, when a party came with his money, and proposed to lend it to the Emperor of Russia, it was a thing utterly abhorrent and inconsistent with their principles. He begged to call the attention of the hon. Member for Manchester to the discrepancies that existed at this meeting. [Mr. BRIGHT: I did not attend the meeting.] No, but the hon. Member for Manchester read all the speeches; and he thought that the hon. Gentleman, with that candour and fairness that always distinguished him, would say that he (Sir J. Tyrell) had not mis-stated the opinions enunciated at that meeting; and he left him to reconcile the two things. He wished to show how, in a commercial point of view, the principles of free trade were tested with regard to these 5,000,000*l.* advanced to the Emperor of Russia. He knew from his own knowledge, and from the report of a gentleman in the Austrian service, that nearly the whole of Germany, Austria, Sweden, and Denmark, never saw a metallic currency; they had to contend with a small paper currency, in addition to the other disadvantages of the disturbances on the Continent. He contended, therefore, that if these principles of free trade were to be fully carried out, they had a right to see those Gentlemen on the Treasury benches. ["Question!"] He submitted that that was the question. It was a question of the injustice that had been done to agriculture, and he maintained, with all due deference, that the sentiments expressed in the Speech from the Throne on that point were not founded in fact. They were called upon by the advocates of free trade to apply fresh capital and additional labour in the cultivation of the soil. He thought that was a most unfair and most inconsistent demand. When the manufacturing interest was in a depressed state, and was not working full time, the agriculturists did not call on them to build fresh mills, and to work six days in the week. Surely that was not the principle of free trade. He would tell them fairly that justice must be done to the agricultural classes. The right hon. Gentleman the Secretary of State for the Home Department objected to the proposition of the hon. Member for Buckinghamshire, on the ground of its being too large. The first part of the right hon. Gentleman's speech was addressed to the speech of his hon. Friend the Member for Buckinghamshire last Session. The next portion of it was all to be read in the *Morning Chronicle* of that day. Lord Mansfield's opinion, and all the rest of it, was actually in print. The third portion was addressed to the hon. Member for Buckinghamshire; and it would appear as if he agreed with him in the main. Indeed it would not much astonish him if they got the vote of the hon. Member for Dover. But he would not trouble the House further. He would say to the Government that the agricultural party relied upon their own indomitable energy and perseverance. It was admitted that they possessed these qualities, and they would, by Heaven! use them. We tell you that you shall not settle this question finally, until you agree to the proposition of justice that has been submitted to you.

Mr. T. B. HOBHOUSE said, there were two points especially in the speech of the hon. Baronet who had just sat down on which he differed from him. In the first place, the hon. Baronet stated that the reduction in the expense of maintaining the poor had been caused by the lowering of the cost of provisions; whereas he (Mr. Hobhouse) contended, and hoped, ere he concluded, to show that it was partly owing to a diminution in the number of paupers. In the second place, the hon. Baronet had declared it to be unjust that there should be any protection on silk. [Sir J. Tyrell: I said just the contrary.] Well, then, the hon. Baronet had said that it was unjust that the agricultural interest should have no protection, whilst a protective import duty was levied on the article of silk. [Sir J. Tyrell: Hear, hear!] The hon. Baronet could not but be aware that the silk manufacturers of this country were able to compete with other manufacturers of silk in neutral markets, and that protection was therefore disclaimed as unnecessary. If a duty was levied, it was clearly for the sake of revenue, and it was not inconsistent with the doctrines of the best free-traders in that House that duties should be levied for the purposes of the revenue. [*Cheers from the Protectionists.*] He perfectly understood what hon. Gentlemen opposite meant by that cheer, that they now wished to have a fixed duty upon corn. He wished, for their sake, they had always been of that mind; for in that case they would have accepted the offer made by the noble Lord at the head of the Government, and would still have enjoyed a certain amount of what they termed protection. The arguments for the Motion, which were based on the inequality of taxation, appeared to him singularly illogical. He agreed with hon. Members opposite that there existed inequality in the local taxation of the country, and would even concede to them that land and real property were burdened to a greater extent than other species of property; but he maintained that a return to their favourite Act, the 43rd of Elizabeth, would not remove the inequality. Under that Act, although stock in trade was not exempted from assessment, there were, in fact, numerous exemptions, including all property, however beneficial, held by non-inhabitants of the parish, money and furniture in possession, money at interest, the pay of officers of the Army and Navy, that of clerks in public and private offices, and professional profits. Mines, also, except coal, clay pits, slate quarries, and other descriptions even of real property escaped the operation of the Act. From local taxation to the amount of 12,000,000*l.*, it was proposed to deduct 2,000,000*l.*, and to place what was struck off in the accounts of the nation. Even if that were done, 10,000,000*l.* would remain to be assessed as unequally as at that moment. To complain of inequality of taxation, and to propose to go into Committee without any intention of removing that inequality, seemed to him highly illogical and absurd. He feared that inequality was a necessary incident of taxation, that it was, in fact, impossible to assess property equally under any system whatever. Taxation was an implement which was rather rude in its nature, and unable to make nice distinctions. He put it to hon. Members opposite, whether duties on the chief articles of consumption bore with an equal per centage on the property of the poor and that of the rich. The true explanation of the inequality was to be found in the fact, that if taxation were levied merely on the luxuries of life, the revenue would not be productive enough to meet the necessary public expenditure. He feared, therefore, that the attainment of abstract equality in taxation was impracticable. The hon. Baronet who had just sat down had told them that the reduction in the expenditure for the maintenance of the poor, was owing to the reduction in the cost of provisions. The last report of the Poor Law Board showed, however, a considerable diminution in the number of paupers.

DIMINUTION OF PAUPERISM.

Number of paupers of all classes relieved in-doors and out-of-doors, in 580 unions, on the 1st of July, 1848	893,743
Same day 1849	827,919
Decrease	65,824
Equal to 7·4 per cent.	
Same return from 602 unions, of all classes of paupers, relieved in-doors and out, on the 1st of January, 1849	987,996
On same day, 1850	924,672
Decrease	63,324
Equal to 6·4 per cent.	
Number of adult ablebodied paupers relieved in-doors and out on the 1st of January, 1849, in 590 unions	201,644
Same day, 1850	170,502
Decrease	31,142
Equal to 15·4 per cent.	

In all these cases there was not merely a reduction of expenditure, but of the number of paupers. The hon. Member for East Lothian had said, that the agricultural interest was entitled to compensation as an indemnity for the peculiar burdens it sustained. He assented to that doctrine; but he would ask the hon. Gentleman if the agricultural classes had not in many cases enjoyed exemption? The Excise duties on agriculture repealed since 1815 were: On beer, 3,106,000*l.*; cider, 52,000*l.*; hides, &c., 735,000*l.*; starch, 117,000*l*,; tiles, 33,000*l.*; vinegar, 59,000*l.*:— total, 4,102,000*l.* Those reduced on malt were, 2,352,000*l.*; and on spirits, 381,000*l.*; making a total repealed and reduced, 6,835,000*l.* Duties taken off miscellaneous articles—farm servants, horses, carriages chiefly used in husbandry, &c., valued at 985,000*l.*; insurance on farming stock, value of exemption in 1847, 87,288*l.* This House, too, had in 1848 voted 348,000*l.* for prosecutions. It was said that a reduction of many of these duties was of no benefit to the producer, the burden of their payment falling on the consumer. If it were not, then the repeal of the malt duty could confer no advantage; if it were, then he was entitled to place the reduction as compensation; and at all events, there was the possibility of an increased demand. He would do the hon. Member for Buckinghamshire the justice to acknowledge that his speech that evening was fair and temperate, and marked by a spirit of justice and reason; but there was one expression in that speech which he (Mr. Hobhouse) had regretted to hear, namely, "that the distress of the agricultural classes was strangely coincident with the late alteration of the laws regarding agriculture." He maintained that that view could not be supported. Were the agriculturists ever satisfied under the system of protection? On the contrary, was not Committee after Committee moved for to inquire into the causes of distress? Therefore it was hardly just that the hon. Gentleman should say that the distress of agriculture was strangely coincident with the change of the law. He was one of those who thought that this country had derived the greatest benefit from free trade in corn, and he rejoiced that even the hon. Member for Buckinghamshire had evinced no disposition to unsettle the existing arrangements. The hon. Gentleman contended that his proposition would tend to the relief of the agricultural classes, but he had not specified in his Motion which of those classes it would relieve. *Dolus latet in generalibus.* He (Mr. Hobhouse) would wish to ask the hon. Gentleman whether it was the landlord, the tenant, or the labourer, whom he aimed to benefit by a transfer of the proposed reduction of taxation to the national account? With regard to the proposition now before the House, he believed that if it were carried, the entire advantage would accrue to the landlord, and that the reduction in the rates would have the effect of increasing rents. Representing a city which was the capital of an agricultural county, he had felt anxious to state his reasons for opposing the Motion. He should vote against it without the least distrust; confident that the hon. Gentleman's plan was not calculated to remove the inequalities complained of, and that if the plan were adopted, the complaints of unequal assessment, unequal taxation, and unequal rates would continue to pour in from the agricultural districts.

LORD J. MANNERS said, the hon. Member who had last spoken must be regarded as belonging to the perfectionist school of politicians, for he had refused to support the Resolution of his hon. Friend the Member for Buckinghamshire on the ground that if it were carried a certain amount of inequality of taxation would still remain. Now, if the hon. Member's objection were justly founded, still it was no valid reason why he should decline doing all that lay in his power to remove the distress. He must say, that, until he heard the speech of the right hon. the Secretary for the Home Department, he thought that all hon. Members of that House, admitting as they did that distress existed, and that all right hon. Gentlemen and noble Lords who complained that accusations were brought against them charging them with being indifferent to that distress, would have joined with his hon. Friend the Member for Buckinghamshire in his reasonable proposition—a proposition not founded on injustice to any class of the empire; for if it were true, as it was asserted by hon. Members, that Manchester and Leeds paid their just share towards the taxation of the country, then the proposition of his hon. Friend would afford them the same benefit which he sought to confer on the other parts of England. The speech of the right hon. Gentleman the Home Secretary showed that he felt the pressure of this argument, for in the early part of his speech the right hon. Gentleman appeared to be combating imaginary arguments made use of by somebody or other on some former occasion. In fact, in listening to that portion of the right hon. Gentleman's speech relative to the exemption of stock in trade, one could not help feeling that the arguments used were the right hon. Gentleman's entire stock in trade. The right hon. Gentleman had taken two main objections to the proposition of his hon. Friend. In the first place, the right hon. Gentleman had glanced over that portion of his hon. Friend's speech alluding to the general distress which existed, and contended that the diminution in pauperism and crime showed the distress was not so great as was stated. Now, the right hon. Gentleman's argument, as to the diminution of crime, was fallacious, for he had contrasted the year 1848, the exceptional year of manufacturing distress, with 1849, the year — but, he feared, not the exceptional year—of agricultural distress. What logical inference could be drawn from the comparison? The inevitable conclusion, if you must argue from such premises was, that the agricultural classes, under suffering and privation, were less turbulent and disposed to crime than the manufacturing classes. But he denied the propriety of any such reasoning. The right hon. Gentleman had then argued that pauperism had much diminished. He had not had time to look with accuracy over the last returns, but in glancing over their pages he had seen that the Poor Law Commissioners painted in very gloomy colours the condition and prospects of the country. The right hon. Gentleman said, that, connected as he was with the north of England, he was happy to state that distress amongst the agricultural classes was there unknown. [SIR G. GREY: I said amongst the agricultural labourers.] That was correct; and he was sorry he had unintentionally misrepresented the right hon. Gentleman. He had, however, imagined that Durham was a county of some importance, and it struck him, in listening to the observations of the right hon. Gentleman, that distress was there very general, for there had been a marked increase of pauperism during the year.

SIR G. GREY: The noble Lord has mistaken my meaning, for I stated that no distress existed amongst the agricultural labourers. Durham is a mining, not an agricultural, county.

LORD J. MANNERS would ask, were there no agricultural labourers in Durham, and was not the mining interest included amongst those classes whose prosperity had been so vaunted in the Speech from the Throne? What, had the President's Message already had power to prostrate the mining industry of the North, and add 10 per cent to the pauperism of Durham? The right hon. Gentleman had wished his hon. Friend the Member for Buckinghamshire to alter his proposition, but stated, that if he would propose some substantive plan the House would be justified in considering the question. Now, if any proposition were made by any hon. Gentleman on that side of the House, right hon. Gentlemen, high in office, would immediately point out some other course which should have been adopted. The hon. Member for Dovor had followed the same line of argument in saying that if his (Lord J. Manners') hon. Friend the Member for Buckinghamshire had asked only for a Select Committee, he would have supported him. The practical mode of dealing with a question was to take one point at a time and discuss it. Now, not one hon. Member had shown that the claim put forward by his hon. Friend was not founded on justice, and calculated to remove the distress which admittedly existed. If the proposition went towards mitigating the distress, what argument had, during the debate, been adduced against it? They had heard that in 1813 the poor-rate was higher than in 1845: it might have been so; but then wages were constantly paid out of the allowance money. He had always been told that the Gentlemen of the school of Manchester were prepared to treat all questions of taxation with perfect justice. Now, he would say that the proposition which his hon. Friend had made was based on the principles of justice—it set up no antagonism between the various classes and interests of the community; and he would ask the Gentlemen of the Manchester school if they were prepared to resist that proposition, because it might be said—although he did not believe that it did—that some classes of the community would be made to take a more practical interest in the welfare of the country — because the mortgagee, the fundholder, and the life annuitant might come in an infinitesimal degree under the operations of the tax-gatherer. He did not intend to thrust on the House an assertion that the Manchester school had ever been careful to carry out their own interests—he would not then stop to ask how it was that the silk trade was still protected; it might be that this trade did not value protection; but he would rather take the opinion of a practical man, such as Mr. Lewis, of Derby, on the question, than the assertion of the hon. Member for Lincoln. Assuming, however, that the manufacturers of York, the master clothiers, had derived no benefit in having their soap duty free—assuming that the duties levied on hats and watches, on ribbons and gloves by a cast-iron Chancellor of the Exchequer had conferred no benefit on their manufacturers — assuming all this, he would ask hon. Gentlemen of the Manchester school if they could, in accordance with their recognised principles, refuse the proposition of his hon. Friend, because it might have the effect of bringing some of the classes of the country hitherto under exemption within the operations of the tax-gatherer. That was the question at issue. Even the ingenuity of the right hon. Gentleman the Secretary of State for the Home Department had failed in proving that the burdens on land in the reign of Elizabeth included vaccination fees, registration expenses, and lunatic asylums. Believing as he did that justice and common sense were on their side —believing that the abstract opinions of Gentlemen opposite should induce them to give their votes to his hon. Friend—he owned he should despair of procuring those votes if he could not appeal to the language of a right hon. Gentleman whose opinions had ever carried weight with that House—language made use of on a most important occasion. The right hon. Baronet the Member for Tamworth, in speaking on this subject, said—

> "He was willing to admit that, when it was found that persons possessed considerable property in the large manufacturing towns, that property ought to be made to contribute assistance towards local charges, and in so doing the burdens would be more equitably distributed."

They were endeavouring to carry out this view without casting injustice upon any class; they were endeavouring to carry it out in a spirit not in any degree hostile to Her Majesty's Government, or hostile to any of the great interests of the country —in a spirit that must recommend these Resolutions of his hon. Friend to the approbation of all candid and impartial men. The opening part of the right hon. the Home Secretary's speech was rather a laboured attempt to show that his (Lord J. Manners') hon. Friend, in bringing forward his proposition, had triumphed over his friends out of doors. Now he could assure them there was no difference between those two classes of opinion to which the right hon. Gentleman alluded. What gentlemen said out of doors was this, that they had lost all confidence in the justice of the House of Commons. But his hon. Friend said there was a measure of relief which might consistently be adopted by that House, and that they should strive to make the best of what was a bad business. But did he say, or did any hon. Gentleman understand that, in proposing those Resolutions, he imagined he was asking the full debt of justice to the agricultural interests? No such thing. But if they could carry this proposition, they would to some extent mitigate the cruel injustice which now pressed upon the landed interest. It was vain for hon. Gentlemen to disguise that local burdens were a real and sensible grievance upon the land. He did not wish to weary the House with details; but there were two examples in the county in which he lived: one was a village, a few miles distant from the manufacturing town of Leicester; it contained 978 inhabitants, of whom 130 were engaged in agriculture, the whole of the remaining population being dependent upon manufactures; he would ask the House what was the proportion of poor-rate levied on a farm of 251 acres in six years? No less a sum than 615*l.* 14*s.*, or more than 110*l.* a year, or 8*s.* 6*d.* per acre. Adjoining the parish to which he alluded, was another, which, upon the authority of the right hon. Gentleman at the head of the Poor Law Board, might be taken as a model parish. The parish of Humberstone, containing 461 inhabitants, ever since the introduction of the new poor-law, had not contributed one pauper to the union, and yet the amount of taxation for three years on 98 acres for poor-rates, was 93*l.* 6*s.* 2*d.* for settlement charges. He would ask, was there injustice in putting these settlement charges upon the footing which his hon. Friend proposed? But he found another argument in favour of the view of his hon. Friend if he turned his eye across the Channel, and looked at the condition of Ireland, and he hoped that before the debate concluded, it would receive some elucidation from the hon. Gentlemen connected with that unfortunate country. His hon. Friend stated that relief ought to be afforded to the struggling agricultural interests of Ireland. They should not forget that the main burden had fallen upon the land, and may be estimated at 500,000*l.* a year. As English Members, Session after Session they were met by appeals from the noble Lord at the head of the Treasury for grants of public money to enable the Irish poor-law machinery to work. He would, therefore, vote for any proposition for relieving the overburdened land of Ireland, and which would give a sensible encouragement to cultivation and employment to the people. A great deal had been said about the subject of the casual poor; he believed the term implied vagrants, and he could not understand why vagrants from Birmingham, Leeds, and other towns, who make a tour through the country districts, why their maintenance should be saddled upon the parish where the relieving officer happened to live. [The noble Lord read extracts from the published opinion of gentlemen connected with the operation of the poor laws; also an extract from the opinion of Captain Robinson, who said the time had certainly come when it would be unsafe to delay remedial measures; and also the opinion of the Ipswich board of guardians that it was expedient to repeal the law relating to the settlement of the poor, and have the poor relieved by a general rate made on the entire property of the country.] Whether it was proper or not to abrogate the law of settlement of the poor, there could be no doubt on the mind of any one acquainted with the agricultural districts that a moderate relief would be afforded to them by the proposition of his hon. Friend. There may be Gentlemen, like the hon. Member for Dovor, inclined to balance their opinions by their votes; there may be those who will discuss and debate this question on considerations apart from its real merits. But the course we take is clear; the path we tread is that of honour and justice; and we traverse it with no misgivings as to the future. I vote for this measure, and I hope the majority of this House will vote for it, because I know it to be just, and believe it to be politic; because it will afford some relief to the struggling and oppressed agriculture of the country, and because it will cement the union between two sister kingdoms, who suffering from a common wrong will benefit by a common redress.

Mr. BRIGHT said: I must admit that the speech of the hon. Gentleman the Member for Buckinghamshire has been of a more practical character than usual. I think there have been fewer expressions that tended to mystify the House, and perhaps the country also; still I cannot refrain from expressing my strong belief that both the House and the country will discover that the grounds upon which the hon. Gentleman bases his Motion are altogether untenable. The hon. Member for Buckinghamshire, as I understand it, comes before the House with a proposition based chiefly upon the fact which many hon. Gentlemen seemed disposed to admit without question, that there prevails throughout the country a very large amount of extreme distress, and in some way or other this proposition is intended as a compensation for the loss of the corn law; and he asserts that it is not unjust to the general interests of the country, while it will give a real and considerable advantage to the classes of which the hon. Gentleman is admitted to be the advocate. Now, I am not disposed to admit without question the hon. Member's first proposition, as to the existence of extreme agricultural distress at the present moment. There is no hon. Member in this House, nor many persons out of it, who do not know that there are cases of tenant farmers who, during this present year, have been carrying on their agricultural operations not only without loss, but actually with a profit. And, further, I am prepared to state that the hon. Member has not submitted to the House one single well-authenticated case in which the fee of the land has been depreciated in value, or in which its rent has been permanently lowered. The hon. Member says that the farmers have three hundred millions of capital engaged in the cultivation of the soil; that they are cultivating it without profit, and that the fee of the land has depreciated in value. Now, I am for the most part disposed to dispute these assertions; but, for the sake of argument, I will admit that what he says is true. Has the hon. Member ever cast his eye over other descriptions of property, or considered what have been the fluctuations in its value during the last four years? Has he inquired into the condition of the mining interest, of the iron manufacturing interest, or that of the owners of mills engaged in all branches of the staple manufactures of this country? Has he ever inquired whether their selling price, or that of their productions, has been as high during the last three years as it was for some years previously? And, above all, has the hon. Member ever cast his eye over the share list, in which I hope he has no other interest than that of a spectator? If he had made those inquiries, he would have found that the great railway interest has been affected—affected, too, by the unwise legislation of this House. Four or five years since the railway interest was perhaps unnaturally prosperous, now it is unnaturally depressed; and with regard to that interest as connected with the poor-rate, I would remind the House that we have facts to show that the railways pass over 3,000 parishes in England, that the poor-rate of these parishes amounts to 800,000*l.* per annum, and that these railways, the vast majority of which have not stations in these parishes, pay 250,000*l.* out of that 800,000*l.* poor-rate. The hon. Member, with a judiciousness which I could not but admire, paid a compliment to my right hon. Friend at the head of the Poor Law Board—a compliment in which I entirely coincide, but he stated that he had not asked for any more recent returns on the subject of the poor-rate because he did not wish give trouble to that distinguished public officer, or the board over which he presides. I think I can promise that neither he nor any of his Friends will move any more for returns of poor-rates with a view of showing the distress of the country, or of advocating a return to the protective system, or a transfer of rates and taxes from what he calls real property to the other kinds of property in the kingdom. There were some points in the speech of the right hon. Baronet the Secretary for the Home Department which I think ought to settle the question to a great extent—I mean those points which referred to the decrease of crime and of pauperism in the country. The noble Lord who spoke last doubts whether these statements are true, and whether this state of things has been influenced by the price of food; but if he will turn back to the year 1836 he will find that the whole commitments for England and Wales in that year were but 20,600 in number, and that from that year, when prices were as low as they are now, until 1842, which was the termination of a period of high prices, the commitments had risen from 20,600 to 32,000; and if he goes on through the years 1843, 1844, 1845, and 1846, he will find that as the price of food was falling there was a consequent decline in the number of commitments, and that this state of things only changed in 1847, when the prices were such as to be highly remunerative to the farmers and the proprietors of land. Now, in the face of the facts brought forward by the right hon. Baronet the Member for Ripon, when he sat on this side of the House, and those which have since been brought forward by his right hon. successor, I am astonished that any man of common sense or feeling can demand or justify a system that entailed upon the country, and more especially on the poorer population, such evil consequences as have been demonstrated by the returns laid on the table of this House. But the hon. Member for Buckinghamshire said that his proposition was very practical. Nobody can deny that. All these propositions for taking taxes off one man and putting them on another, are practical enough. The House of Commons has made these practical changes from time immemorial, and sometimes with very little regard to justice; but the hon. Member says further that his proposal is something in the way of compensation to the agricultural classes for the losses they have sustained by the legislation of 1846. He admits that the landed proprietors have inherited the land burdened with poor-rates, but he urges that they inherited protection also, either in bounties during the last century, or prohibitory duties during the present. But the hon. Member must know that long since the poor-rates were laid on and collected, this country has exported corn to foreign countries, and that for a considerable period the import duty was not more than 6*d.*, or at most 1*s.*, the quarter. I maintain, however, that the loss of the corn law is no justification for his proposition, if that proposition be not in itself just and reasonable without any reference to the corn laws. [" Hear, hear!" *from the Opposition.*] Well, I am glad to hear hon. Gentlemen opposite accept that position, because of that corn law the House and the people have decided—and I believe that some Gentlemen who are going to vote with the hon. Member acquiesced in that decision—that it was unjust, a crime against the people, and an usurpation of the foulest and most injurious description. The people never acquiesced in that corn law. You passed it under a protest of the most fearful kind, and it has been protested against throughout its duration by the great body of the population, certainly within the limits of this island. There are, no doubt, Gentlemen opposite old enough to remember the fear and terror under which they came down to this House, when the corn law was passed in 1815. The right hon. Gentleman opposite, the Member for Stamford, perhaps recollects the time when he had to press his way through military and police into the senate of the united kingdom. Indeed, I have heard that a certain military gentleman dates his conversion to free trade from a very severe wound on the head he received, when military, police, and Members were indiscriminately attacked by large concourses of the people. But there are, no doubt, heads into which arguments cannot be made to penetrate, except by means even as objectionable as this. Well, I maintain that if this House has decided that thirty years of the corn law was wrong and unjust, it forms no plea for coming down to the House with any such proposition as that of the hon. Member. Therefore, I submit, that unless that proposition can stand by itself without any appeal to the question of protection, it is not worthy of one moment's consideration in this House of Parliament. The hon. Member met with some difficulty in the course of his speech, but avoided it adroitly, endeavouring to show that what he calls the agricultural interest has some interest in the question he proposes. He says that we are estopped from considering separately the interest of landlord and tenant; that we must consider them as one interest, and that with such definition we must be content. Now, I find that the hon. Member plays fast and loose with this great interest, and so do his followers. The time was that the agricultural interest was asserted boldly to mean nothing but the tenant farmers. Now the proposition is discussed, and the tenant farmers are lost sight of, the owners of real property being the only persons to be benefited. [" Hear, hear! "] In truth I do not know whom you will have to be the agricultural interest yet? I should not wonder if at last you claimed as one of the agricultural interest the man who lives in the Haymarket or Lincoln's Inn Fields. The great point has been to get up a cry —and that has been your great difficulty during the recess—a cry by which you could unite landlord and tenant in one general assault upon the taxation of the country and the resources of the Chancellor of the Exchequer. I will tell you what is my notion of this proposition of the hon. Member. I admit that it is practical and simple, and I admit that some of the objections which were raised to the proposition of last year do not apply to this. The proposition is, that some two millions sterling, now collected for certain local and general purposes on landed property and buildings, shall henceforth be not so collected, but be transferred to the general taxation of the country, a very large portion of which, much the largest, comes upon the great body of the people, and is paid in taxes on articles they consume. If then, as urged by the hon, Member, these taxes are a burthen on the land, the result of his proposition will be that the occupiers of the soil will be able to add as much to the proprietors' rental as is subtracted from their burthens by this transfer of taxation. Now I think I may appeal to the House whether the time is not gone by when Parliament would listen to any proposition for removing taxes from property and placing them on industry and consumption. One of the great results of the measures adopted by the right hon. Baronet the Member for Tamworth during his tenure of office is, that many taxes have been taken off, which certainly, in time of peace, can never be reimposed. You have found that taxes on consumption are not only not the most productive, but that they are destructive of the comforts of the people; and I believe that no Chancellor of the Exchequer will again be found to ask that the revenue of the country be increased by a system of taxation which not only takes the money from the people, but interferes with the industry and comforts of the great body of the working population of the kingdom. Let it then be generally understood that the proposition of the hon. Member comes to this. I do not say that it is a question between the land and the towns, because the right hon. Baronet has shown that the land and the towns will be equally relieved by the proposition of the hon. Gentleman. It is not, then, a question between land and the towns, but it is a question between the owners of property, who have something, and the great masses, "the have-nothings," as they are called, and who, if such measures are persisted in, will be "have-nothings" to the end of time. That is the principle upon which I shall oppose the proposition of the hon. Member; but I ask hon. Gentlemen opposite—and they being the farmers' friends, I have a right to ask the question—in what way do you expect by this proposition to satisfy the vast clamour you excited or participated in during the recess? I am not the farmer's friend—I never made any claim to that character; but in this House, as out of it, there is no just proposition which the farmers can make, and no just principle the application of which will subserve their interest, which I will not advocate and vote for; but I will not come to this House after exciting a clamour through the country that I am about to relieve the farmer, and then make a proposition that a child of five years old could discover had no reference to the interest of the occupier, but is solely directed to the interests of the landlord. The right hon. Baronet the Home Secretary has shown that 45 per cent of the poor-rate is all that is paid by the land, and that is not all paid by agricultural land. Well, then, if all the relief he proposes to give landed property be 45 per cent, that is all the interest the land can have in his proposition. And if 45 per cent is all this great interest of landlord, tenant, and labourer, together can get, I should like to have it defined how much of this 45 per cent will remain in the pockets of the occupying tenant. The hon. Gentleman proposes that this 45 per cent should be the extent of the relief, so far as the landed interest is concerned; but then he expects that to give them this, the Chancellor of the Exchequer is to continue the other taxes which the farmers now partly pay, as the tax upon tea, the tax on coffee, the tax on tobacco, the taxes on wines and spirit, and the tax on malt. All these taxes must be continued, if the proposition he now threatens us with were to be successful, and the great burden of the rates were transferred from the property to the industry and labour of the general body of the people. But how do Gentlemen opposite act when real measures for the relief of the tenant farmer are under discussion? There was a proposition the other day for a County Rates Bill, which met with no very favourable reception from the other side; and it will be my duty by-and-by to ask if hon. Gentlemen opposite will agree to a modification or abolition of the law for encouraging the preservation of game? We shall find then whether the hon. Gentlemen are willing to apply those great and just principles, of which we have heard so much to-night, to a practical grievance which is much greater on the farmer than anything that can arise from the cost of the establishments of poor-law unions. There is also the question of the Tenant Compensation Bill. I shall be delighted to find that those Gentlemen who stand forward as the tenant-farmers' friends support that. If the landlords were wise, they would take another course from that they are adopting. I am sorry, for more reasons than one, that I am not a landed proprietor. I am especially sorry for one reason, which is, that I am not able to speak to my brother proprietors with that weight which I should do were I one of them. Were I a landed proprietor, I should say to my brother proprietors—if trade continues prosperous, if manufactures and commerce increase, if employment is more permanent and the wages of labour are steadier and more remunerating than heretofore—if your list of criminals is diminishing year by year, and your poor-law returns show that thousands and tens of thousands of hitherto helpless men, women, and children, are lifted from the mire of pauperism in which they have been so long sunk, to an independent and comfortable position—I should say to them, if such events should follow, as I believe they will, from the adoption of the free-trade policy which hon. Gentlemen opposite deride so much, then the position of the landed proprietor is the most fortunate and happy in this present change of any; for, as prosperity increases he must obtain a greater increase of wealth, there will be more competition for land for agricultural purposes, for building purposes, and for manufacturing purposes—for purposes of pleasure and enjoyment—and while that is going on, not only will you obtain a larger amount of wealth, but far greater security for those possessions with which Providence has blessed you. But to come here and ask for the abolition of the poor-rate, and for the transferring taxes from you to other classes of the community, is what you would never do if you considered your own permanent interests. There are other interests in the country who could come to this House and speak of loss sustained by them from the depreciation of invested and floating capital; but they have not demanded compensation as you have done. You have ruled in past times in the House with an undisputed sway. You have been in the habit on the hustings of teaching the people that you came here to promote agricultural prosperity and to maintain a high price for corn. As sensible men, I would say to you, get rid of this habit as soon as possible. Well would it be for you if all the volumes of *Hansard* for the last ten years could be burnt; for then your children and grandchildren could never have the opportunity of reading the speeches you have made in this House. I am convinced that the proposition of the hon. Gentleman contains within it no element of benefit, improvement, or restitution, to the tenant farmer of this country, and that being my opinion, I will be no party to a proposition the object of which is to transfer taxes from real property and lay them on the industry of the country. To do so would be to reverse the policy of the last seven years—a policy which has been pursued with advantage to the population, and which is tending to the permanent security of every valuable institution in the kingdom.

MR. DRUMMOND: Sir, I feel that it would require greater powers of mystification than those which are possessed by the hon. Gentleman who has just sat down, or even by my hon. Friend who opened this debate, if either of them, singly or jointly together, could persuade the farmers at this moment that they were not suffering distress. I know not what the hon. Member for Manchester means by "exciting a cry" in the country. If he means that I have ever, directly or indirectly, told the farmers that I could obtain for them relief, or that I have ever encouraged them to hope for a reversal of that policy which has been pursued for some years past, I tell him that he is wholly mistaken. It is many years ago since I said that the moment peace was established it would be impossible for a continuance of years to keep prices upon an average higher than those upon the Continent. I have maintained that to this moment; but the farmers do feel themselves to be deeply afflicted. It has not been myself, or any of my friends, who have excited them. On the contrary, the little influence which I have amongst them has been used to allay excitement. They have declared plainly and openly that they were betrayed by the men in whom they had trusted. They have felt deeply the injustice of elevating a faction into power upon their shoulders, and their being themselves kicked off ignominiously as a useless footstool. The farmers are plain-spoken men—they call language of that sort treachery, and those who use it traitors. But I do not defend such language—I regret it, and have done something to stop it. I deeply regret that animosity should remain; for many of the persons whom they accuse are my personal friends; and, independently of that, I am sorry to see a body of able men condemned, however justly, to political inanity. But that which both sides of the House have declared to be essential policy, is that justice should be done. You ought to have done something to those who were affected by your policy — to mortgagees, to those who hold large tracts in the country, to those who have paid just before the year of change heavy fines for church leases, and who have been distinctly defrauded by the Act. This is not the first time that large bodies of the people have come down to this House as suppliants, proclaiming their distresses; but it is the first time within my knowledge that their complaints have been treated with indifference by this House. Their statements of distress have been distinctly contradicted by hon. Members opposite, as if the farmers were not the only judges of whether they are in distress or not. And, Sir, I cannot help contrasting the way in which they have been used with the way the manufacturing and trading interests have been received when they were suffering, and when they came forward and stated their distresses to the Legislature. Were they sneered at? Were they laughed at like the farmers for not understanding the science of agriculture? Did not the hon. Member for the West Riding the other night tell us that all great discoverers ruined themselves, but that afterwards another generation arose who profited thereby; so that, according to the hon. Member's doctrine, the farmers are to begin by making experiments; they are then to pass into the workhouse, and a happier race is to succeed them. Were the manufacturers ever taunted in this House with their ignorance? Yet is it not notorious that no English manufacturer ever yet made one single useful discovery in arts or science? We have heard a good deal of the School of Manchester. What has it ever produced that was scientific or useful? Has it any name in chemistry to boast of? Can it point to a Fourcroy? Can they quote any Manchester manufacturer who has written upon any scientific subject connected with his trade? Why, Sir, it is well known that they know no more of the chemical agents required for their own printworks than the blocks they use. Nay, Sir, did we not take pity upon their intense vulgarity? They confessed that nothing but the actual cheapness of their wares could find them a market, and that there was not a person in Europe who would not prefer the more artistic taste and the more beautiful fabrics of the French, or, indeed, even of the Chinese manufacturer, to theirs. Yes, indeed, it was so; and, in mercy, we gave you a school of design; but so little have you profited by it, that in the last report of that school it is stated that you draw just as badly as ever. No one, that I ever heard of, doubted, that by taking off taxes from trade, that benefit would not be derived, and trade increase. But what we simply denied was, that this was a national, and not merely a class, question. Moreover, we said the question was not how we are to have corn cheap, but how we are to procure equality of prices. By tables which were moved for, and which will supply facts in place of opinions, we find that in Dantzic there has been for years past a greater fluctuation in corn prices in a given time than ever occured in England. Hon. Gentlemen from Manchester only gave us one side of their balance-sheet. The right hon. Gentleman at the head of the Home Department gave a fine picture of the present state of trade. But what was on the other side? You forgot to mention the trade you have annihilated. You have annihilated the kelp trade. You have created distress in the north-west of Scotland, and have aggravated the distress in the north-west of Ireland. You annihilated one-half of the value of all the timber in England; you annihilated half the value of the bark in England; you have now annihilated half the capital of all the tenant farmers of England; and you have reduced the renting value of landed property from 80*s.* to 40*s.* an acre. The necessary consequence of all these things is, that every tenant who has been farming with borrowed capital must fail, and every landed estate which is mortgaged must be sold. Now, what I want is, that in all matters of this kind we shall see the plain truth, and adapt ourselves to it. This is the end at which hon. Gentlemen opposite are driving. They have told you so — they have tried to produce this result. Why not admit the result when you see it before you? It is, I admit, a debateable question, whether it would not be for the benefit of the country were land in a greater number of hands. But then what I say is, that the quantity of property you have destroyed by your measures, is more than equal to the whole amount you say the country has gained by the new policy. This, then, is a class policy. It was intended to be so; and for the gratification of the right hon. Baronet the Member for Tamworth, I will show him before I sit down, what are the ulterior measures these Gentlemen have in view. One of the grounds on which you have advocated your free-trade principles, is on account of the benefit to accrue to the poor. The poor are quite as good judges of what is for their good as the farmers; and when trying to persuade farmers' labourers that it is better to have cheap corn than dear corn, I never get any other answer than that " it is always best for us when corn is dear." What they mean is this—they do not deny that it is better to have a large loaf for 6*d.* than a small one; but when corn is dear, they are more certain of employment. [Mr. BRIGHT: No, no!] The hon. Gentleman says no; I say yes; and I assert that when corn is dear, more labourers are employed on the land. Why, the hon. Gentleman thinks you can shut up a farm and work it only three days in the week as they do cotton-mills. Hon. Gentlemen opposite think a farm can be worked half time. To cease continuous cultivation is the way in which land gets deteriorated, and farmers suffer. When prices are falling, farmers don't hold up, but go to ruin. Farmers do not put money in the bank for a rainy day; when times are good they buy artificial manures; they exchange bad implements for good; all the money they make in a good year they invest on the land, and when, by violent measures of legislation, their business is interfered with, they are ruined, and have nothing left to fall back upon. I say that your acts of free trade have deprived labourer and farmer of all security. And what do you want? Why, you want the advertisement duty to be taken off; you want to be puffed off in the newspapers. You asked, and you insisted, on free trade, because you get your cotton to China by it; but you object to taking off the taxes on beer. Oh, no, when the farmer's labourer, who is wet through 250 days out of the 310 working days, when he comes home from work, instead of a glass of good ale, you want to give him a newspaper to read. This is your love for the labourer, this is the way in which you free-traders benefit the poor man. The hon. Member for the West Riding, the other night, enumerated the vast benefits which had resulted from free trade. See, said he, how cheap you can buy preserved fruits; preserved fruit one of the luxuries of genteel life; see how cheap sugar is, that is to say, the manufacturers can get their sugar-plums cheap. But how does free trade act in the country? Every foreign trade employs foreign labourers only, and not British labourers. I say you ought to have a duty on everything that comes from a foreign country. If you have free trade, I insist that we shall have a right to use our barley as we please. I insist that the labourer have a right to pick his hops from his hedge and use them as he likes. I say that the people of Lancashire, the people of Ireland, and the people of the East Riding of Yorkshire, shall be allowed to grow tobacco. I insist that you shall carry out these things, and until you do, there shall be no peace for you. You think you have settled the question of free trade—I tell you it is now but the first skirmish of the battle. You have urged the question in such a way that you have made the expression of free-trader and protectionist the terms to distinguish opposing parties. The struggle is yet to come between capital and labour—it is yet to be made between wealth and life. You are the advocates for money and capital, *coute qui coute!* but I say the labourer shall also have the right to exist. Some hon. Gentlemen opposite have made a great discovery. One hon. Gentleman opposite has told us, what you will be somewhat surprised to hear, namely, that we are not an agricultural country. He says, "If the prosperity of the country depended on agriculture, we should have nothing worth protection. It is manufactures that give the country wealth, power, and population." Wealth, you see, is placed first—

"Si possis recté,
Si non, quocunque modo rem."

Who were they who hinted they would see all the towns between Portsmouth and Plymouth burning, rather than keep a navy to avenge the insult? Sir, I will support the Motion of the hon. Gentleman the Member for Buckinghamshire; but it is nothing to what we mean to have. We will have the excise done away with. Your old cry of faith with the public creditor has lost much of its charm. [*Laughter, and great confusion, in the midst of which Mr. Speaker repeatedly called Members to order.*] Oh, it is of no use, Sir, when you see hon. Gentlemen with white waistcoats and brilliant eyes, your attempting to control them. But, as I was saying, the cry of good faith with the public creditor has lost much of its force. You say—Would we rob widows and orphans? Why, Sir, the farmers and yeomen are saying—Let us look to our own wives and our own children. So, far, however, from wishing to do anything of the kind I allude to, I would support any Government which would lay directly upon the rich a load of taxation sufficient to enable the Exchequer to allow the labourer to brew his own beer, to build his house with his own bricks, and grow anything he pleases. As to the insults heaped upon the land—fortunately the supremacy of the land is not much affected by them. The land!—why, Sir, it is as much superior to the manufacturing interest, as an oaken cudgel is to a cotton thread. And I will say of the land as the poet said of the oak which grows upon it—

> "It holds its primeval rights from nature's charter,
> Not at the nod of Manchester."

CAPTAIN DUDLEY PELHAM apologised for trespassing on the House at that late hour, but he wished briefly to express his opinion, that if they were to reconsider the question of poor-law taxation they must be prepared to examine carefully into the whole question of the liability of property to be rated. He believed that the proposition of transferring the rates to the Consolidated Fund was not a sound one, and that if they were to have a national rate it must be a direct tax, in the form of a property and income tax. He believed that if such an arrangement were adopted it would not be open to the objections applicable to a proposition for fixing the rate on the Consolidated Fund; and that it would be found compatible with a continuance of the system of local management which it was so desirable to maintain. He believed there were two ways of dealing with this question of the poor-rates — that they might confine themselves to the present system of assessing property; but at the same time most materially relieve the landed interest by altering the laws of settlement and removal, and establishing a union liability and a union rating, conjointly with necessary measures of economy; or else by adopting a uniform or a graduated scale of rating on all property and income. If they assume that the expense of maintaining the poor amounted to 5,500,000*l.*, and if they took the number of parishes to be 5,000, in which the amount of poor-rate is less than 1*s.* 6*d.* in the pound, and above 8,000 in which it exceeds this sum, they would find the poor-rates to be about 1*s.* 6*d.* in the pound in the aggregate. But a tax equal to the present property and income tax would do more than defray the expense of maintaining the poor. He would not, at that late hour, go more into detail, but he would merely add that hon. Gentlemen opposite ought not to rest the matter on the mere fact of agricultural distress, because many Members on that (the Ministerial) side of the House, who would willingly join in a more equitable arrangement of taxation, believed that the existing distress was of a temporary nature, and that the hon. Gentleman the Member for Buckinghamshire therefore had rested his proposition on a most improper foundation. He hoped that the supporters of the agricultural interest would not rest their case on such shallow grounds, but that they would bring forward measures which would apply to the more equitable arrangement of the whole taxation of the country. If they did so, and if they could show that the landed interest was unfairly burdened, there could be no doubt but that the country would support them in obtaining justice.

MR. STAFFORD moved the adjournment of the debate, and said that he understood that the noble Lord at the head of the Government had agreed to allow it to proceed on Thursday.

LORD J. RUSSELL said, he thought it better always to appoint the earliest day possible on such occasions, and he had therefore suggested Thursday.

MR. DISRAELI hoped that the debate would be both continued and concluded on that day.

Debate adjourned till Thursday.

The House adjourned at half after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, February 20, 1850.

MINUTES.] PUBLIC BILLS.—1° Public Libraries and Museums.

2° Small Tenements Rating; Benefices in Plurality; Larceny Summary Jurisdiction; Tenants at Rack Rent Relief.

DEER IN THE ROYAL FORESTS.

MR. G. BERKELEY asked whether orders had been issued by the Commissioners of Woods and Forests for the destruction of the deer in the forest of Dean, and in the New Forest? And, if so, whether copies of the orders would be laid upon the table of the House, as there was no right to destroy deer in a royal forest without an Act of Parliament?

MR. HAYTER said, that there were no such orders issued regarding the New Forest, of which His Royal Highness the Duke of Cambridge was ranger, and over which the Commissioners of Woods and Forests had no power to make such an order. With regard to the Forest of Dean, over which they had full power, and where there was no ranger, there had been such universal complaints of the demoralising influence upon the people living around, produced by the opportunities they had of killing the deer, that the commissioners had at length acceded to the requests of the mining proprietors, and ordered the destruction of the deer. Their objects in so doing were, at once to check the demoralising effects upon the population, to prevent the frequent collisions between the keepers and poachers, and to preserve the valuable young timber which was growing in the forest. The number of deer in the forest of Dean and in the Highmeadow Woods adjoining, was by statute restricted to 800, nor was it essential that there should be any deer in the forest of Dean at all. The Commissioners of Woods and Forests, by letter dated the 15th of January, 1850, informed the verderers of Dean Forest that they had decided on the discontinuance of deer in Dean Forest and in the Highmeadow Woods adjoining. The commissioners received their power over the forest from an Act of Parliament passed ten or twelve years ago, appointing them chief wardens; and the forest itself was regulated by the provisions of two Acts of Parliament, the 20th Chas. II., and another Act that was passed in the year 1808, reviving the 20th Chas. II.

MR. G. BERKELEY said, that under those circumstances he was quite sure it would be a boon to the forest to have the deer destroyed.

THE "INDIAN" EMIGRATION SHIP.

MR. DIVETT wished to ask the hon. Gentleman the Under Secretary for the Colonies a question upon a subject which had been noticed already in another place, and of which he had given the hon. Gentleman notice. He had that morning sent a paper to the hon. Gentleman, which he had received from New South Wales, in which details were set forth of the most disgusting nature, regarding certain conduct of men and officers, which had taken place on board the barque *Indian*. The colonial officials had properly taken measures to bring the offenders to punishment, and from the proceedings it appeared that the owners had certainly placed a most dissolute set of officers on board their vessel. What he wanted to ask the hon. Gentleman was, whether he was aware of the circumstances that had taken place? And whether, in the event of the statement turning out to be true, such directions would be given to the Emigration Commissioners as would induce them to put forth to the fullest extent the powers vested in them to punish the owners of the ship, as well as the guilty parties? There was a vast number of persons about to go to the colonies. But they had become so alarmed at the account of this misconduct, that they had great doubts whether they could venture to proceed to their several destinations; and it was most important that they should receive some assurance to allay their fears.

MR. HAWES said, that in answer to the question, which was one to which he attached very considerable importance, and which he did not at all regret the hon. Gentleman had brought under the consideration of the House, he should reply that the Government had as yet received no official account of the conduct of the officers of the barque *Indian*. But he was bound to state that if the *ex parte* statement which had been made should be proved, it would justify the infliction of the severest penalties which the law provided, as soon as tho conviction should have been obtained. And he would undertake to promise his hon. Friend that the subject should be closely attended to, because he had already called the attention of the Emigration Commissioners to it, and they would be instructed to enforce the severest penalties which the law enabled them to inflict, if the facts should be proved.

MR. DIVETT said, that the reply of his hon. Friend would give general satisfaction throughout the country.

BANKRUPT AND INSOLVENT MEMBERS BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

MR. MOFFATT, in moving the second reading of this Bill, said, that the object of it was, first, to remove the privileges which were at present retained by insolvent Members of that House not in trade; and, secondly, to deal with Members similarly situated who were in trade. Most persons agreed in thinking that it was very discreditable to Parliament that it should be the only sanctuary still existing in which fraudulent bankrupts and insolvents could take refuge. There could be no difficulty in proving the insolvency of a Member by the plan which he proposed. He had been, indeed, told that a great objection was, that parties might buy up judgments against Members, and so get them expelled the House. But that would be impossible, for no proceedings could be taken by any creditor who held security for his debt; and the present privilege went into the other extreme of unduly shielding Members. Besides, nearly six months would have to elapse before the insolvency could be satisfactorily proved, and a Member lose his seat, and that would give time for unravelling the real condition of his liabilities. Besides, the object of the qualification required at present was to insure the possession by every Member of that House of at least 8,000*l.* or 9,000*l.* above his liabilities. That might be assumed as the value of the income of 300*l.* a year, which was necessary. And, if a Member did not possess that sum, he could not truly undertake to say that he was qualified. He had been told that there was no great popular feeling in favour of the measure. He admitted that; and, moreover, he did not think they ought to wait for such a feeling to arise. He thought they ought to anticipate the popular displeasure at Parliament being the only sanctuary remaining in the united kingdom for insolvent debtors. The privilege of Parliament had been greatly abused. A law, indeed, had been passed some years ago which made the chattels of Members liable to be seized for debt, but nothing was easier than for a Member to make over his chattels to a brother or sister, and so evade the law. It was also objected to his Bill that it did not include Peers. He found that in all questions of privilege it had been customary for each House to arrange its own affairs, and generally when the Commons set a good example, it had been followed by the Lords. But, supposing that the Peers did not choose to give up their privilege, did that invalidate the utility of the Bill to the Commons? The Bill before the House had been introduced in the last Session. It was then referred to a Committee upstairs, where it was improved and formed. The right hon. Member for Montgomeryshire, who seldom entered the House, came down, for almost the only time he had attended during the Session, to oppose it when it came from the Committee. He said that the privilege could be rescinded without a Bill, by the simple resolution of the House, and that the Bill was therefore unnecessary. It was then late in the Session. The opposition was strong, and he (Mr. Moffatt) thought it better to withdraw it, and bring it on again early in the present Session. He did so; but hardly had the Session ended, when he received a communication from the right hon. Member for Montgomeryshire, stating that he had found he was wrong—that the privilege could not be rescinded by a resolution of the House, and that an Act of Parliament was necessary. To the present Bill, amended as it had been, there could be only objections to small points of detail. None had been made to its principle. He, therefore, hoped, that the second reading would be taken at once, and any amendments which could be suggested could be considered in Committee.

Colonel SIBTHORP had a pecular desire to support the Bill. He did not see why a trader in the House should be exempted from the laws which affected traders in general. He would, therefore, support the second reading.

Mr. GOULBURN entertained great objections to the principle of the Bill, and should move that the Bill be read a second time that day six months. He admitted that there were few things more objectionable than contracting debts without the means of paying them. But if the question was to be considered as a moral one, there were a great number of offences just as bad, in a moral point of view as the nonpayment of debts, and with which the House was just as much called on to interfere. But the fact was, that the matter was one for the decision of constituencies, who were the best judges of whether or no a man's circumstances fitted him for representing them in that House. The Bill, if carried, would circumscribe the powers of the constituencies; for many a man under temporary circumstances of embarrassment, might nevertheless be chosen as a representative by a constituency having the fullest confidence in the integrity of his intentions. Many Gentlemen of limited means had thought it right, for the honour of their family, to take upon themselves debts which they inherited from their parents, and, if unable to discharge the obligation thus assumed within a limited period, they were to be liable to be expelled from the House as unworthy of a seat in it. A person in this unfortunate situation might even, under this Bill, be by law incapable of being re-elected. Besides, the measure if carried would revive the old disputes between the House and the constituent body of the empire, as to whether the former had the power of rejecting a representative chosen by the latter. He repeated that he thought the matter ought to be left to the discretion of constituencies. But the hon. Gentleman argued that a Member becoming bankrupt would lose his qualification. The qualification, however, was merely to be considered as being in some respect a guarantee for the sufficient education of Members of Parliament, and in the case of the poor scholars of the universities, of whom he was one, no qualification whatever was required. Besides, a man might possess a qualification when he entered Parliament, and convey it away next day, without endangering his seat.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. MULLINGS supported the Bill, thinking that no person ought to have his property or his person exempted from legal process by Parliamentary privilege, so long as he was unable to pay his just debts.

Mr. HUME said, that having voted for a Bill requiring a bankrupt to vacate his seat six months after his failure, he could not be said to favour the doctrine that Parliamentary privilege ought to shield a man from just legal process. This Bill would, however, be attended with great injustice in many of its bearings. He thought that no individual ought to be empowered to plead Parliamentary privilege when called upon to pay his debts; and he would be prepared to concur in any measure, so far abolishing that privilege; but he repeated that a great many cases would arise in which, from the arrangements of society, the Bill before them would operate most cruelly. He submitted that a Bill ought to be introduced for the purpose of remedying the evils to which he had alluded.

Mr. PACKE would oppose the measure, thinking that agricultural Members in the present state of matters would require to have some protection against the stringent working of the bankruptcy laws.

Sir G. GREY would observe that the discussion, last year, upon the subject to which this Bill related, showed the difficulty of carrying out the principle proposed without a measure applying with great harshness in many cases. Feeling how little prospect there was of the House ultimately agreeing to a Bill which would accomplish the object in view without involving still greater inconveniences and evils than it was to remove, he was not prepared to support the second reading of this measure.

Mr. NAPIER remarked, that though quite willing to facilitate the proceedings of creditors against property, he apprehended that this Bill might place the votes of Members too much under pressure. A judgment was often given along with a mortgage, the rents might happen to be in arrear, and moneyed men might acquire undue influence over votes.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 34; Noes 73: Majority 39.

List of the Ayes.

Arkwright, G.
Bass, M. T.
Berkeley, C. L. G.
Blair, S.
Brisco, M.
Brown, W.
Clive, H. B.
Colebrooke, Sir T. E.
Divett, E.
Duncuft, J.
Ellis, J.
Evans, W.
Farrer, J.
Fellowes, E.
Frewen, C. H.
Grovesnor, Lord R.
Gwyn, H.
Harris, R.
Hotham, Lord
Kershaw, J.
King, hon. P. J. L.
Lacy, H. C.
Mackinnon, W. A.
Macnaghten, Sir E.
M'Taggart, Sir J.
Ogle, S. C. H.
Pechel, Sir G. B.
Pilkington, J.
Ricardo, O.
Sibthorp, Col.
Stuart, Lord J.
Thicknesse, R. A.
Thornely, T.
Williams, J.

TELLERS.
Moffatt, G.
Mullings, J. R.

List of the Noes.

Baillie, H. J.
Baines, rt. hon. M. T.
Berkeley, hon. G. F.
Boldero, H. G.
Buck, L. W.
Buller, Sir J. Y.
Chatterton, Col.
Christopher, R. A.
Clay, J.
Clay, Sir W.
Clifford, H. M.
Corbally, M. E.
Craig, W. G.
Deedes, W.
Drumlanrig, Visct.
Drummond, H.
Dundas, rt. hon. Sir D.
Dunne, Col.
Estcourt, J. B. B.
Fagan, W.
Forbes, W.
Fox, S. W. L.
Fuller, A. E.
Gore, W. R. O.
Grey, rt. hon. Sir G.
Halsey, T. P.
Harris, hon. Capt.
Hatchell, J.
Heneage, G. H. W.
Herbert, H. A.
Hildyard, T. B. T.
Hill, Lord E.
Hodges, T. L.
Horsman, E.
Hume, J.
Lewis, G. C.
Lindsay, hon. Col.
Lushington, C.
M'Cullagh, W. T.
Meagher, T.
Melgund, Visct.
Meux, Sir H.
Monsell, W.
Mostyn, hon. E. M. L.
Napier, J.
O'Flaherty, A.
Pakington, Sir J.
Palmer, R.
Perfect, R.
Pigot, F.
Plumptre, J. P.
Power, N.
Pugh, D.
Reynolds, J.
Rice, E. R.
Salwey, Col.
Shafto, R. D.
Slaney, R. A.

Smith, rt. hon. R. V.
Somers, J. P.
Somerville, rt. hn. Sir W.
Sotherton, T. H. S.
Spooner, R.
Stanton, W. H.
Sullivan, M.
Thompson, Col.
Trollope, Sir J.
Tyrell, Sir J. T.
Vivian, J. H.
Waddington, H. S.
Wawn, J. T.
Wilson, M.
Wodehouse, E.

TELLERS.

Goulburn, H.
Packe, C. W.

Words added.

Main Question, as amended, put, and agreed to.

Second Reading put off for six months.

SMALL TENEMENTS RATING BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

MR. HALSEY, in moving the second reading of this Bill, said that the House must be aware that a very great amount of property now escaped the payment of rates, and that, at the same time, the constant changes of occupation in small tenements caused immense trouble to the overseers. He had with him a letter from a most excellent magistrate of Bedfordshire, expressing the pain with which he signed warrants to distrain perhaps the beds of poor families for rates, and urging the expediency of charging them upon the landlords in the case of small houses. The existing law was really a premium upon idleness and dissipation, for the party who was made to pay was the industrious man who saved a little money and bought furniture. It was a mistake to suppose that if the rates were charged on the owners, the rents would be raised; but the comforts of the cottages would be increased. [The hon. Member read a letter from a parish containing a large quantity of cottage property, and an extract from the tenth report of the Poor Law Commissioners, in regard to the effect of an Act passed in 1841, empowering the overseers of Kidderminster to rate the landlords of small tenements.] He asked the House to mark the success of such a measure where it had been tried. The Committee of the House of Commons, in 1837, and the Committee of the House of Lords, in 1846, reported in favour of the view he had taken. He trusted he had shown the necessity which existed for an alteration in the law, and that the measure he proposed was calculated to effect such an alteration in a mild and beneficial manner. He hoped, therefore, the House would not reject it, but allow the Bill to receive a second reading.

MR. P. SCROPE, believing that the deficiency of house accommodation for the poorer classes was most prejudicial to the interests of society at large, and that the proposed Bill would tend to augment the evil, was prepared to offer the second reading his decided opposition. The Poor Law Commissioners, Captain Robinson, Mr. Austin, and others, had reported strongly that house accommodation had not extended in proportion to the increase of the population. They stated that the proprietors disliked cottage property, as there was a difficulty in collecting the rates, and sometimes the cottages were pulled down. He admitted the difficulty of the present system, but he would rather endure it than submit to the alterations proposed by the Bill. He anxiously asked the Government to postpone, at all events, the consideration of it till they had disposed of the settlement question. It was no light matter, for it affected that large class of the people who were unable to pay the poor-rates, and were not paupers. If they rated the owners, they might depend on it the pressure of the rate would fall on the occupier. The rents received generally on this class of property did not return more than 2 per cent, and no person would build cottages for the poor in future, if he had to pay 4s. or 5s. out of that. Captain Hoskyn and Mr. Austin had stated that any tax laid on the owners of cottages would be laid by them on the occupiers, in the form of an increase of rent. The general rule of the law of England, he observed, was, with the exception of Sturges Bourne's Act, to rate the occupiers, and not the owners. The case of Kidderminster showed, that when that rule was departed from, the owners continued to make use of the law for their own advantage. The same was found to be the case in Liverpool, and the owners increased the rents so much as to create an immense amount of pauperism, in consequence of which the town had applied to Parliament for the repeal of the local Act, passed three or four years ago, for the rating of owners. Ireland presented a still stronger case in point, because the best authorities were of opinion that the immense evictions were attributable to the pressure of the poor-law, which laid the rates on the owners.

Amendment proposed, "To leave out the word 'now,' and at the end of the

Question to add the words 'upon this day six months.'"

Mr. BAINES said, that if he agreed in the opinion of the hon. Gentleman who had just resumed his seat, that the Bill would press heavily on the poorer classes, he should be the last man in the House to vote for it; but he honestly believed it would not have any such effect. Under the present system, the owner of property on which there was an exclusion of rates contrived to get a higher rent than he otherwise would, and was the only person who benefited by the law, while the poor man did not gain any advantage from the exemption, and the public generally lost by it. And when the hon. Gentleman alluded to speculators running up cottages for the poorer classes, and concluded the Bill would prevent their doing so, he actually adduced one of the strongest arguments in favour of the Bill, because he called attention to the case of persons who in building laid out their ground in such parcels as they knew would be exempt from the rate, and thereby gained a benefit all their own. The Bill of the hon. Member for Hertfordshire was not, as the hon. Member for Stroud might have led the House to understand, a compulsory measure, rendering all persons, owners of cottages within a certain limit of value, liable to be rated. His (Mr. Baines's) opinion was, that if any fault was to be found with the Bill, it was that it did not go far enough; but it was a step in the right direction; and, as it would effect a certain amount of good, though not all that might be effected by improved legislation, he hoped the House would give their assent to the second reading. He wished to call the attention of the hon. Member for Hertfortshire to one point. By the 59th George III., c. 12, sec. 19, known as Sturges Bourne's Act, there was a power given to the vestry to pass resolutions by a majority, with the object that, in certain cases, the owners should be rated instead of the occupiers; and the evils which that Act was intended to meet, and which existed to a tenfold degree at present, were recited in the clause as follows:—

> "And whereas in many parishes, more especially in large and populous towns, the payment of the poor-rates is greatly evaded, &c., and it hath been found persons letting houses do receive much higher rents for the same, on the ground that the occupiers thereof cannot be effectually assessed to the poor-rates, and do thus obtain an undue advantage to themselves; be it enacted, &c., that the owners of all houses, &c., which shall be let to the occupiers thereof at any rent not exceeding 20*l.*, nor less than 6*l.* by the year, &c., shall be assessed to the relief of the poor."

And the clause further directed how far the inhabitants in vestry might vary the resolutions of any former vestry in this respect, and provided for the assessment of the rate on the owners by an equal pound-rate, after making a reasonable deduction from the rent, not exceeding in any case one-half, and for the levy and recovery against the owner in the same way as for the levy and recovery of poor-rates against the actual occupier under other circumstances. The hon. Member proposed to do away with the minimum of 6*l.*, which, so far as he (Mr. Baines) could learn from those hon. Members who had been in the House when the Act was passed, was fixed upon without any reason whatever. If these evils existed on 6*l.* houses, it appeared to him the argument would be very much *à fortiori* with respect to houses below 6*l.* The hon. Member proposed that henceforth there should be power in a vestry to rate the owners of houses from 20*l.* downwards, without any minimum, instead of the occupiers. That was the whole scope of his Bill. He wished to call the hon. Gentleman's attention, however, to the provision that there should be a majority of two-thirds of the vestry. Why require a different proportion of the vestry from that which was sufficient to sanction the rating on the owners in cases of 6*l.* houses? It seemed to him the bare majority of the vestry ought to be sufficient, and he hoped the hon. Gentleman would consent to such an alteration when they went into Committee. The hon. Gentleman the Member for Stroud said, that rating small tenements had failed in Liverpool. He (Mr. Baines) was not aware of that fact, but he certainly knew that a great number of local Acts for rating the owners of small tenements had lately been applied by the inhabitants of that town. As regarded Kidderminster, so far from the Act rating small tenements working badly, the union had come to Parliament and asked for a similar principle to be extended from the town to the union. He would support the second reading.

Sir J. PAKINGTON said, he should support the measure, but he could not help remarking that, as long as he had been in the House they had had a Bill before them about highways, and another for rating small tenements; but he hoped the present year would dispose of both questions. Any one conversant with the country must know the present state of the law was productive of great inequality and injustice, and bore very hardly on the poor. The only objection he had to the Bill was, that it was not compulsory. They had had a great deal too much of permissive legislation. Parliament should make up their mind as to what was right, and then declare it binding upon all. It so happened that two-thirds of the vestry were not the persons he should exactly like to decide the question of rating. He would much rather see a compulsory enactment that up to *5l.* or *6l.* the rate should be paid by owners of property. A large amount of property escaped taxation at present, and the result was that a greater burden was thrown on the rest of the country.

Captain PECHELL said, that although he had found it necessary to oppose former measures on this subject, he should not oppose the second reading of the Bill.

Mr. ROBERT PALMER declared that he was not at all satisfied in his mind that the present measure was right, or was better than the measures which he had opposed on previous occasions. He was much inclined to think with the hon. Member for Stroud that the effect of rating the owners would be to check what was so much wanted—the building of convenient cottages, affording comfortable accommodation for the labouring population, at low rents. The object of every Gentleman was to afford such accommodation at the lowest possible cost. If a labourer was unable from poverty to pay the rate, he could, under the present law, go before the magistrates, with the consent of the overseers, and prove his inability, and they would then excuse him for the time being. It was also a very common practice for the overseers to take into consideration the state of cottage property in their district, and if they knew a certain number of persons were, from poverty and low wages, unable to support themselves, and pay rates, to come to a resolution not to charge them to the poor-rates. It was a common practice for persons who had laid by money in youth to purchase a plot of land and erect cottages on it, under an impression that the sort of tenants to whom they intended to let those cottages would never be charged with any rates; and he doubted whether, under the provisions of the Bill, they could fix any particular species of property with rates; he also had serious doubts whether the House ought to agree to a measure like the present, which was in the nature of an *ex post facto* law, inasmuch as it enabled one set of persons to come upon another for that which they never expected to be called upon to pay. It happened to him that he had upon his estate cottages for which he only received *50s.* a year; but those cottages, if fairly valued, could not be considered as worth less than *5l.* a year, and that, he doubted not, was the case with many others besides himself; he did then think it most unfair if a man were to be called on to pay rates upon a higher scale of valuation than the actual rent which he might receive for the cottage property that he possessed. He did not mean to offer any further opposition to the Bill, but in Committee he intended to propose that no landlord should be expected to pay upon any valuation above the rent which he actually received. He was quite aware of the growing feeling in favour of such a measure, and he took the liberty of suggesting to the hon. Gentleman the Member for Stroud not to take the sense of the House on the second reading.

Mr. S. ADAIR observed, that there existed a general impression that speculative builders erected better cottages than were usually built by other parties, and at more reasonable rents. He trusted that the hon. Gentleman would persevere with the Bill—that he would make it compulsory and final. To leave the application of it discretionary, would be, as he thought, most inexpedient. He might mention to the House a case in which the collection of the arrears cost 17 per cent, and that cost fell, not upon the owners, but the occupiers. For these reasons then he thought it the most just and expedient plan that the owners should pay the rates.

Mr. DEEDES supported the second reading of the Bill, and hoped that the hon. Member for Hertfordshire would improve his measure by adopting some of the suggestions that had been made.

Mr. SLANEY stated, that speculative builders often came into a neighbourhood where their presence was not much desired; that they ran up cottages and filled them with inhabitants, who competed with and often did great injury to the independent labourer, and thus the whole population of the district became more or less deteriorated. When he looked at the authorities which had given opinions upon these subjects, he found that thay were all in favour of such a measure as that before the House, and he hoped that in Committee the hon. Gentleman would consent to such clauses as would make the Bill just and palatable.

MR. AGLIONBY was of opinion that the discussion of these points had much better be postponed until the Bill went into Committee; he was bound, however, frankly to state that he could not continue his support to the Bill unless the right of voting were permanently secured to the occupier.

MR. BAINES, referring to the Municipal Reform Act, said that it provided sufficiently for securing to occupiers the full right of voting, whether they were liable to the rates or not. The overseer must, under that Act, put the name of the occupier on the roll. He was sure that the hon. Member for Hertfordshire desired to secure to occupiers the indisputable right of voting.

MR. REYNOLDS observed, that the right hon. Gentleman who spoke last had referred to the Municipal Reform Act for the purpose of showing that that statute secured to the occupier the right of voting; but though the Irish Municipal Reform Act contained a clause copied from that to which the right hon. Gentleman referred, yet it did not secure to the occupier the right of voting. The occupier of a shop or of a tenement might claim to be rated, but that was not the point; occupiers ought to possess the franchise, no matter who paid the rates. His own case was this—he rented a counting-house; he served a notice desiring to be rated; at the same time, also, he offered to pay any rates that might be due; but he was told that nothing was due, which was giving him what in Ireland was called "a Quaker's receipt," being an ingenious mode of evading the stamp duties. Upon the subject of the notice which he served he had taken the opinion of counsel, and he had been told that his notice was insufficient, because it did not set forth the value of the tenement. Now, it was most absurd to require that a tenant should set a value upon the premises which he himself occupied. It might seem somewhat impertinent in him to speak upon a Bill which only affected England and Wales; but hon. Members on both sides of the House, who were only English Members, had continually interfered in the affairs of Ireland, and had spoken as if they meant to minister to all the social diseases on the other side of the water. He did not complain of such political doctoring. On the contrary, he felt much obliged to them for it, and was only anxious that they should not, by the adoption of this Bill, reduce the franchise. It might not affect the rural districts, but by taking the small tenements in corporate towns out of the rate-book they would be cutting off a large and very useful class from their political privileges.

MR. BRIGHT said, that he had received a letter from Manchester—not, however, upon the subject of the present Bill—from parties who were deeply interested in the security and extension of the franchise; that communication stated that in many cases the landlord would not pay the rates, though his rents were regularly paid to him; and thus he might, either through neglect or malevolence, disfranchise his tenants. He did not hesitate to say that no man's franchise ought to be placed in that sort of jeopardy. If he paid his rent and did his duty as a member of society, he ought not to be disfranchised on account of the conduct of any other person. Then there was another ground of complaint fairly enough urged in the letter that he held in his hand, which was this: Landlords often compounded for the rates of houses which were under the value of 10*l*. That was held not to be a payment in full, and thereby the occupiers were disfranchised. As far as it was connected with rates, this Bill would give great facility to the collectors, but that was no reason why a measure should be hurried through the House which would lead to such a great extent of disfranchisement. He should wish to know from the Government whether, if the House consented to the second reading of the Bill, and if any suggestions for the obviating of this objection should be proposed in Committee, the Government would oppose those amendments?

SIR G. GREY had no hesitation in saying that he thought it would be extremely wrong if this Bill should operate in any way to the disfranchisement of any parties possessing the franchise, and he believed that nothing was further from the intention of the hon. Gentleman who brought in the Bill. His right hon. Friend the President of the Poor Law Board had said he thought a clause in the Municipal Bill would prevent it; but he would look into the subject, and if he were not satisfied that that clause would have that effect, he would take care that a clause for the purpose should be introduced. He hoped the hon. Gentleman would not name the Committee for an early day, for there were many points in which it would be well for him to communicate with his right hon. Friend.

Mr. HENLEY did not believe the measure would relieve the poor at all, but at the same time there might be places to which it would be applicable. It would be necessary, however, that in Committee the Bill should be more strictly guarded; for instance, a longer notice should be given when parties were to appear before the vestry, so that no parties should be taken by surprise. He would vote for the second reading, but reserved to himself the right of dealing with it on the third reading according to the state in which it then should come before them.

Mr. HALSEY, in reply, said, he intended to put in some clause or clauses that would have the effect of guarding the franchise, but he was not disposed to make the Bill compulsory.

Question put, "That the word 'now' stand part of the Question."

The House divided :—Ayes 182; Noes 2 : Majority 180.

Main Question put, and agreed to.

Bill read 2°, and committed for Wednesday, 20th March.

BENEFICES IN PLURALITY BILL.

Order for Second Reading read.

Mr. FREWEN moved the Second Reading of this Bill. It appeared from a recent return, that there were 589 cases in which clergymen had been appointed to two livings since the passing of the last Act on this subject. This afforded a strong case for passing a Bill in order further to check the practice. He saw no objection to clergymen holding two livings when they were adjoining eadh other, and the population of both was small; and there were many cases of this kind where no inconvenience was sustained, because the people of one parish could attend the services of the other. He would ask the House to affirm, by their assent to the second reading, the principle that the present law was not sufficiently stringent, and that it was desirable it should be made more effective. The Bill which he had had the honour to introduce last Session on this subject passed a second reading; but, on account of the lateness of the Session, he was unable to carry it further. He had since received many letters from clergymen in different parts of the kingdom in favour of his Bill, one in particular from the prebendary of one of our cathedrals, pointing out abuses which existed from prebendaries and their connexions getting possession of livings in their own families. He proposed that the Bill should extend to Ireland, and he trusted the House would allow the Bill, like that of last Session, to pass a second reading.

Mr. SLANEY : Is the Bill prospective in its operation ?

Mr. FREWEN : Yes.

Sir G. GREY had no objection to make to the second reading. He believed that both the Primate of Ireland and the Archbishop of Canterbury were very desirous that some measure should be passed making an alteration in the law regarding benefices and pluralities. The Bill might, therefore, be read a second time; but the House must not be asked to go into Committee on the Bill until he had had an opportunity of consulting with others, with the view of proposing certain alterations in the Bill which would make it satisfactory.

Sir R. H. INGLIS said, there was no difference of opinion as to the desirableness of having a resident clergyman in every parish in the kingdom. It was easy to say that no two livings ought to be held together by the same person the aggregate value of which should exceed a given sum, except they were contiguous : but he saw in a recent return a case where six livings were held by one clergyman, the united income of which did not amount to more than 300*l*. per annum. If the right hon. Baronet were not prepared to adopt the principle of the Bill, why should he consent to go into Committee ?— and if he were favourable to the second reading, why should he require a long interval before going into Committee ?

Lord J. RUSSELL considered that there were very considerable practical difficulties in the way of dealing with pluralities, especially in cases where no house was provided for the clergyman, and where the income was small. All that the House would do now by voting for the second reading was to affirm that further restrictions in the law permitting pluralities were requisite. His right hon. Friend the Secretary of State for the Home Department had intended to bring forward a similar Bill to the present, and he should therefore like the Committee on the Bill to be postponed, until time had been given to the Government to consider the subject and confer with the Archbishop of Canterbury thereupon.

MR. HORSMAN wished to see the principle of doing away with sinecures and pluralities carried out to the utmost extent in the Church. His objection to the Bill was that it did not go far enough. He held it to be most important to give every parish a resident teacher, by which means a great stimulus was given to private benevolence. Where parishes were small, he would unite them into one for *quoad sacra* purposes, but not keeping them under one incumbent.

SIR H. WILLOUGHBY thought that the better course would be to withdraw the Bill than to allow it to pass a second reading, when there was every probability that alterations might be proposed in Committee which would entirely alter the character of the Bill.

CAPTAIN JONES did not think the Bill at all suited for Ireland, and considered that even if the present Primate of Ireland was favourable to it, his successor might not be so.

MR. FREWEN, in reply, said a communication was made to the Archbishop of Armagh last Session, and he was aware that it depended upon his Grace whether pluralities should exist in Ireland. He was happy to say that for the last twenty-two years not a single faculty had been granted by the Primate for the holding of pluralities in that country.

Bill read a second time.

LARCENY SUMMARY JURISDICTION BILL.

Order for Second Reading read.

SIR J. PAKINGTON moved the Second Reading of this Bill. He stated that he considered it one which would meet with the general concurrence of the House, its object being to introduce a considerable improvement in the administration of the law with respect to small offences. The Bill proposed, in the first place, to extend the provisions of the Juvenile Offenders Act, and to give magistrates the power of summary jurisdiction, irrespective of age, in cases of larceny below a very limited amount. With respect to the other portions of the Bill, it would be recollected that at the commencement of the last Session he had intimated his intention of bringing in a Bill of this kind, and the hon. and learned Gentleman the Attorney General then stated that it was the intention of the Government to deal with the subject, they being of opinion that some alteration in the general law of larceny was imperatively called for. He had no wish to interfere with trial by jury in cases of larceny to a greater extent than was absolutely called for by the general sense of the country. To many of the cases of larceny, trial by jury was almost inapplicable. One class of offences which was more particularly adverted to in this part of the Bill, was that of the offence of coal stealing. In some counties the offence of coalstealing was very common; but offenders were brought to trial at great cost, and on account of the insignificant nature of these charges, justice was frequently dispensed with altogether. In and near Dudley, where there were many coalworks, offences of this kind were either passed over and forgiven, or the persons charged were tried at the Worcester quarter-sessions, twenty-six miles distant. A coalowner told him that he was plundered of many tons of coal per week, owing to the difficulty of prosecuting the offenders. He proposed by the Bill to fix the amount of the larceny at the very low amount of 1*s.*, which the House would be aware was the old distinction between grand and petty larcenies. He believed that in a very large proportion of all cases of larceny, the value of the property did not exceed that sum; and he was confirmed in that view by the elaborate and able reports of the Criminal Law Commissioners and of the County Rate Commissioners. There was another part of the Bill which dealt with the question of costs which might be incurred under the operation of this Act, and upon this subject he was anxious to call the attention of the Government. He would strongly urge on the Government the fact that a great pecuniary saving might be effected to the Government by the operation of the Act. The expense of prosecution under the Juvenile Offenders Act, was limited to forty shillings; but he believed the average cost did not exceed twenty shillings; whereas every trial at quarter-sessions involved an expenditure of from 5*l.* to 8*l.* There could be no doubt, therefore, that a considerable saving would accrue to the Government by the operation of this Act. As the counties had been relieved from the cost of prosecution at the sessions under the Juvenile Offenders Act, so ought they to be relieved from the expenses attending the summary convictions under this Act, if the Bill were allowed to become law. The question of costs as affecting the counties would refer solely to the expenses of the trial, because with respect to the maintenance of the prisoners, whatever that amount might be, after conviction, it would be balanced by the saving in the maintenance of the prisoner before trial. He hoped, therefore, that the Bill would meet with the general support of the House.

MR. TORRENS M'CULLAGH said, that he had given notice of an Amendment with respect to this Bill, but it was not his intention to move it upon that stage. His objections to the Bill were twofold in their character; he objected to the jurisdiction proposed to be given to the magistrates, and to the alternative punishment which it was proposed to inflict in certain parts of the Bill. He was far from being of opinion that some alterations were not required in the law as it now stood; but he objected to the proposal of giving increased power to the magistrates. With regard to the Juvenile Offenders Act, he did not think that it had been attended with the good results which had been expected from it, because the punishment which it authorised did not apply to offences committed by persons in the higher ranks of society. Juvenile offenders in the superior ranks of life had no temptation to commit larceny; and if the upper classes were not to be visited with a punishment which affected their sense of dignity and of corporal pain, then, he contended, that it was not fair that two justices should be empowered to administer a whipping to persons who stole a bunch of turnips, when they happened to be under sixteen years of age.

SIR J. PAKINGTON begged to remind the hon. and learned Gentleman that under the Juvenile Offenders Act, a discretionary power was reserved to the magistrates either to proceed summarily or to commit for trial.

MR. M. MILNES considered that the objection which the hon. and learned Member for Dundalk had urged was one which militated against the principle of the Bill, and that he ought therefore to go to a division at once. He himself did not see what reasonable ground there was for objecting, in the case of juvenile offenders, to a summary jurisdiction on the part of magistrates, or to the infliction of corporal punishment. Neither did he see any reason why this summary jurisdiction over juvenile offenders should not be extended, as it was proposed by this Bill to extend it, from fourteen to sixteen years. He found that in nearly all the prisons in the country, juvenile criminals were classed as offenders under the age of sixteen years. The only fault he had to find with the Juvenile Offenders Act was, that the jurisdiction which it conferred was hardly summary enough. A very general impression prevailed that it was productive of very bad consequences to take a juvenile offender to prison in a van with other accused persons, and keep him there three or four days, thus giving him a status in the criminal population of the country; and therefore he was strongly in favour of administering a boy's punishment for a boy's offence at the nearest police station. As to the argument used by the hon. and learned Member for Dundalk, with reference to the non-infliction of a similar punishment on youths of high station, it was well known in what manner young gentlemen were corrected for juvenile delinquencies at Eton and Westminster. He gave the Bill his cordial support.

MR. NAPIER had found, from his communications with Ireland, that a measure of this kind was very much needed, in mercy to the poorer class of criminals who were now tried before a jury. They endured a punishment before they were put on their trial far greater than their offence deserved. He had received a letter from the assistant barrister for the county of Cork, in which it was stated that out of seventy-eight cases in the Crown book for the current sessions, many of the prisoners had been sent from distances ranging between thirty and forty miles. The letter went on to say that there was a man now waiting his trial on a charge of stealing a piece of timber valued at three-halfpence, and when he was discharged from gaol, he would be fifty miles from home. Another would be put on his trial for stealing twelve sods of turf, and he would be thirty-nine miles from home when released from prison. His opinion was, that the law at present in force was too severe on the lower classes. The magistrates had the power of adjudicating in a summary manner where offences were committed on the growing produce of the land to a very considerable amount, though they could not do so when it was severed from the freehold.

The ATTORNEY GENERAL thought it was unnecessary for him to say that he approved entirely of this Bill, because, with the exception of fixing the maximum at 1*s.*, he might say it was a transfer of the Bill which he had formerly the honour to introduce. He thought the hon. Gentleman had acted judiciously in taking as the maximum 1*s.*, which formerly was the boundary between grand and petty larceny. When he (the Attorney General) introduced his Bill, he was pressed very strongly to fix the amount at 5*s*. An alteration in the law, as it now stood, was, he thought, imperatively called for. At present, if two boys went into a potato-field, and the one stole potatoes from the ground, he might be taken and summarily punished before the magistrates; but, if the other took them from a heap in the corner of the field, he could not be convicted except by a jury at the assizes or the sessions. In the same way, if two boys went into a garden, and the one took fruit from a tree, while the other picked it up from the foot of the tree, the former was taken before the magistrate, while the latter was tried by a jury. There were many good reasons why they should give to two magistrates the power of summary jurisdiction in the case of smaller offences. Take the case of the coalowners. They were subjected to great loss by the theft of small articles of coal, and they submitted from time to time to the injury rather than prosecute; till, at last, they found themselves compelled to proceed against some person for the theft of an article not amounting, perhaps, to more than a penny in value. If, however, the magistrates had the power of summary jurisdiction in such cases, the evil would soon be put an end to. It was for reasons like these that he introduced last year a measure at the earnest request of many of the Irish Members. With respect to juvenile offenders, and indeed all offenders, it was not absolutely necessary that they should be brought before the magistrates and punished, as laid down in the Bill. There was a discretionary power left in the magistrate's hands; and it would also be in the power of persons brought before the magistrates, if there was any reason to believe that their cases were not fairly dealt with, to go before the higher court. It should be remembered that when poor persons were sent to the assizes or sessions, they often had not the means of taking witnesses to so great a distance; but if such cases were disposed of by the magistrates, then the accused would be able to bring forward witnesses, and thus have a better opportunity of getting his innocence or guilt clearly established. It seemed to him, therefore, though he was quite aware that the measure would be open to objection on the part of those who were afraid of any invasion of trial by jury, that this Bill ought to receive the sanction of the House.

MR. PACKE considered that the House was under great obligations to his hon. Friend for introducing this measure. He was entirely in favour of that part of the Bill which extended summary punishment from boys of 14 to boys of 16 years of age; but he had some difficulty as to the other part of the Bill, and would like to see it sent before a Select Committee. If they once opened the door to admit cases to be dealt with summarily by the magistrates in the way then proposed, he was afraid they would find themselves involved in serious difficulties. He cordially supported the measure so far as it related to the summary punishment of young persons; but it was a matter of grave question whether they should take this step towards doing away with trial by jury in the case of adults.

MR. ROBERT PALMER thought that if the hon. and learned Member for the University of Dublin had made out that this measure was absolutely necessary for Ireland, it would not be difficult also to show that it would be of great advantage in England. He had had some experience of these matters, as chairman of the quarter-sessions in his district, and he must say that scarcely a session passed during which the grand jury did not, by memorial, complain that a number of trumpery cases were brought before them which any magistrate might easily have disposed of with perfect justice to the parties and to the community. The magistrates, however, had no discretion in such cases, for they were bound by law to send persons charged with those offences to take their trial either at the assizes or the sessions. He had seen cases where the articles stolen were so trifling in point of point of value, that a laugh was caused in the court. The hon. and learned Member for Dundalk, who, he thought, ought to take the opinion of the House on the principle of the measure now, if he meant to take it at all, objected to giving any further jurisdiction to the magistrates in summary cases; but, in point of fact, the magistrates had, in one respect, more powers at present than this Bill would give them. If, for example, a man were to break into a gentleman's garden and take the fruit from his trees, or break into his hothouse and take the grapes from his vines, he could not be tried by jury, but would be punished by the magistrates. He saw no objection to that part of the Bill which extended the summary jurisdiction to persons of 16 years of age, as he believed that many offenders escaped from the unwillingness of persons to bring their cases before the higher tribunals.

Mr. HENLEY observed, that there were two distinct principles involved in the Bill, and it might be possible to agree with the first, and to entertain considerable doubts about the second. He had, himself, great doubts about the second branch of the measure, particularly after what had been said by the Attorney General, because it was quite clear, though the old distinction between grand and petty larceny had been admirably introduced by the hon. Member for Droitwich, that this Bill would be the commencement of a system for doing away with trial by jury. That, however, was a matter which might be discussed hereafter; and he thought, therefore, that the hon. and learned Member for Dundalk had taken a prudent course in not dividing the House now. With regard to juvenile offenders, as the great object of the former Bill was to prevent their contamination in gaols, he thought that sixteen years of age was the proper line of demarcation between the boy and the young man.

Mr. W. MILES regretted to have heard what had fallen from the hon. Member for Oxfordshire, as, having sat for sixteen years as chairman of the court of quarter-sessions, he was fully convinced of the necessity of some such measure as the present Bill. With regard to the age of juvenile offenders, three years' experience had satisfied him that the discretionary power of magistrates might be advantageously exercised over boys under sixteen years of age. As to that portion of the Bill which related to cases in which the value of the article stolen did not exceed one shilling, he could assure the House that out of sixty or seventy cases at the quarter-sessions, there were nineteen or twenty of this kind, in which felonies had been committed by persons to save themselves for starvation.

Bill read a second time.

TENANTS AT RACK-RENT RELIEF BILL.

Order for Second Reading read.

Mr. SOTHERON felt it unnecessary to trouble the House at any length in moving the second reading of this Bill, as it passed through that House last year without opposition. Its object was to supply an omission in the Act of 1845, relative to pauper lunatic asylums. By the Act of 1828, on that subject, it was enacted that the rate should be charged between owner and occupier, but this provision was omitted in the last Act; by the present Bill it was proposed to restore that mode of rating.

Sir H. WILLOUGHBY did not understand the principle upon which they were legislating on this Bill. The right hon. Baronet the Member for Tamworth when he proposed the repeal of the corn laws, also, for the partial relief of the agricultural interest, removed a portion of the charge for criminal prosecutions, which formerly fell on the county rate, to the Consolidated Fund. He (Sir H. Willoughby) thought the charge for lunatic asylums should be placed on the same footing. He could not conceive why this charge should fall only on real property, while all classes of the community were subject to the grievous calamity of lunacy. Not less than 12,708 persons were confined in the pauper lunatic asylums last year. He thought that it would be better to deal at once with the county rates than by a small measure like the present.

Mr. SOTHERON perfectly concurred with the hon. Baronet who had last spoken, that the same principle which recognised the division of the rate between the owners and occupiers for the maintenance of lunatic asylums, equally applied to a division of the rate raised for erecting prisons and all other county buildings; and if his hon. Friend would bring forward a proposition for making the Consolidated Fund bear the expenses of all these county matters, he (Mr. Sotheron) would vote with him; but at present he wished to deal with what he understood to be an evil much complained of. The fact was, that the Bill passed in 1845 for providing for the expense of erecting these buildings, omitted a clause which was inserted in the Act of 1848; and all that he now intended to do was to re-enact that clause.

Sir H. HALFORD agreed that the principle of the Bill was in the right direction, but he did not see why it should not be extended to the case of county rates

Mr. SPOONER said, his objection to the measure was that this charge ought not to be thrown upon the landed property at all. Lunatic asylums were buildings in which the whole community had an interest. The charge ought, therefore, to be borne by the whole community, and paid out of the Consolidated Fund.

Sir G. GREY supported the principle of the Bill, but he did not consider that principle to involve the paying of the expenses of lunatic asylums out of the Consolidated Fund.

MR. HUME said, that upon the same principle as that which had been urged by Mr. Spooner, the whole charges which now devolved upon owners and occupiers, such as poor-rates, county rates, and other rates, ought to be laid upon the Consolidated Fund. Too much had been already done in that way. He objected upon principle to any charge being thrown upon the Consolidated Fund that was not expended under the direction of Her Majesty's Government. Where the appropriation of the money was under the sole authority of the magistrates, it would be a perversion of principle to impose a charge upon the national taxes. He therefore protested against the doctrine of his hon. Friend. He had no objection to the present measure; it was a very small concern, and it seemed to him that it would be better to bring all these charges under one category.

MR. HENLEY said, if Mr. Hume was prepared to act upon the principle he had laid down, he would consent to place this charge upon the Consolidated Fund, because not a single shilling could be laid out upon the erection of a lunatic asylum without the sanction of the Secretary of State for the Home Department.

MR. HUME said, the Secretary of State had nothing to do with the details.

SIR G. GREY observed, that to a certain degree, Parliament had imposed a duty on the Secretary of State in reference to the erection of pauper lunatic asylums. The ratepayers in counties and boroughs were under the obligation of building those asylums, and the Secretary of State was bound to see that the obligation was fulfilled; but he had no control over the expense.

Bill read a second time.

The other Orders of the Day were then disposed of; and

The House adjourned at a quarter after Five o'clock.

HOUSE OF LORDS,

Thursday, February 21, 1850.

MINUTES.] *Reported.*—Acts of Parliament Abbreviation.

FURTHER EXTENSION OF MEDALS TO THE ARMY AND NAVY.

The DUKE of RICHMOND said, that in rising to ask his noble Friend the Secretary for the Colonies the question of which he had given notice, relative to the reward of medals for actions by sea and land from 1794 to 1814, in pursuance of the general orders of the Admiralty and Horse Guards, he must say that he was much gratified at finding that an award had recently been made in favour of certain claims which he had advanced last Session on behalf of those brave men who had maintained the glory of the British arms in Egypt. Though it must be grateful to the feelings of the two services that Her Majesty's Government had done justice to the services of those gallant men, yet, with the strong feelings he entertained on the subject, he should never remain quiescent until the same justice was performed to all who were engaged in the various actions from 1794 to 1814. It would be invidious to call attention in that House to individual cases, or to institute comparisons between those cases in which medals had been given, and those in which they had been withheld, and to draw a comparison between the services for which they were rightly granted, and those to which they were refused. He might perhaps be met with the objection that this was not a matter which ought to be discussed in that House. To such an objection he would merely reply, that in his opinion the grievances of any portion of Her Majesty's subjects might very properly be discussed before their Lordships; and more particularly so, when he found a long list of gallant achievements performed by our naval and military forces which had received the Thanks of both Houses of Parliament, yet had not been followed by any other result than the expression of that Vote of Thanks upon the Journals. When he found that the military achievements of the various regiments in our service were emblazoned on their colours, whilst the efficers and men who by their energy and courage had gained those honours for their regiments did not wear any decorations on their breast to show that they had been instrumental in procuring those honours, he felt himself entitled to call upon the Government to advise Her Majesty to make a further award of medals to those who had been ready to shed their blood in the defence of Her crown and dignity. The noble Duke then referred to the different rules which prevailed in the Navy and Army respecting the granting of medals for distinguished services, but in so low a tone of voice that it was impossible to catch more than the general import of his remarks. Now, there was never a case in which a higher reward was deserved than that of Sir James Gordon, whilst in command of the *Active* frigate in the action off Lissa. The rule which the Admiralty had laid down was, that when the first lieutenant was promoted after an action, the captain of the vessel should have the gold medal awarded to him. In the army the gold medal was awarded only to the officers in command of regiments on all occasions of distinguished service. Sir James Gordon did at last get the gold medal, and rightly; but, during his services in America, when he was employed in making a diversion in the Potomac, for which he had deservedly received a medal, the officers of the marines and of the army, and the private men of both services, who fought at Bladensburg, and took Washington, got no reward at all, and remained to this day without any decorations. Again, at the storming of St. Sebastian, the officers of the fleet who co-operated in that siege, and whose services on the coast had been most valuable, obtained a medal; but the British infantry who had fought on that day at St. Sebastian, and that part of the army which at the same time repelled the attack of the French at St. Marcial, received the Thanks of Parliament indeed for those two battles, but were not honoured, either officers or men, with any medals. They could not expect that either seamen or soldiers would remain satisfied when such anomalies exist in the two services. There were 40,000 men in arms traversing the Bidassoa, but no medals did those brave soldiers receive. There were a great many other actions in the same condition, that is, the soldiers who fought in them had the Thanks of Parliament, but no medals. Here he might be met with the objection that there was a difficulty in drawing a line on such a point. He saw no difficulty in drawing it at all. If there were any, he would recommend the noble Earl opposite to refer it to a committee of flag and of general officers to look over the lists of battles in which medals had been given, and those in which they had been refused, and to report what other battles ought, in their opinion, to be added to the former list. He was not asking their Lordships at present for any multiplication of the orders of the country. He was delighted, however, to find that there was a prospect of those orders being further extended, and that the medical officers of the Army and the Navy were likely to be admitted into the Order of the Bath. He was not, however, discussing that point at present. He was only asking that medals should be given to those men who had fought in gallant actions during the last war, as proofs that they had been present in those actions. The noble Duke then read a long list of battles in which great services had been performed and acknowledged by Parliament, but for which no medals had been given. The Thanks of Parliament were given to the officers and soldiers engaged in the operations in the West Indies in 1794—but no medal. They were also given for the expedition to Corsica in the same year—but no medal. They were given, too, for the descent on Holland, and for the preservation of the Dutch fleet in 1793—but no medal. So, too, for the Mysore war—but no medal; again, for the victory off Ferrol in 1806—but no medal. Thanks were also voted to officers and men for the capture of Monte Video on the 16th of April, 1807—but still no medal. The siege of Copenhagen, in 1808; the victory over the French fleet in Basque Roads, in 1810; the defence of Portugal, in 1808; the operations in the islands of Mauritius and Java; the battles of St. Marcial, and the passage of the Bidassoa, —all were commemorated by the thanks of Parliament—but by no medal. He wished to know on what grounds Her Majesty's Government had decided to give medals to officers and men engaged in naval actions—aye, and in boat actions—when it had decided to refuse them to those engaged on the memorable naval and military occasions which he had just mentioned? In the object which he had in view he might be wrong—he thought that he was right—but, even if he were wrong, no mischief could be done in referring the matter in question to a select committee of naval and military officers. He hoped that he should not be put off by a plea of expense when he was demanding the payment of a mere act of justice. In conclusion, he asked whether it was the intention of Government to take these cases into consideration.

Earl GREY replied, that it was not the intention of Her Majesty's Government to make any further award of medals. As his noble Friend had not submitted to the House any definite plan—as the subject itself was one very inconvenient to discuss in that place—and as the grant of honours ought to emanate from the Crown, and not from either House of Parliament, he must ask his noble Friend to forgive him if he did not follow him into his various arguments. Without at all differing from his noble Friend as to the importance of the great achievements, military and naval, to which he had referred, he must say that there was extreme difficulty, after the expiration of half a century, in reviving any question as to the discretion exercised by the Government of the day in the past distribution of military honours. His noble Friend had complained that a certain officer, who acted with much gallantry, had not got a gold medal fifty years ago. That was the act of a former Government, and it would not be wise to revive that question now. With regard to the distribution of medals to the Army, his noble Friend the Commander-in-Chief had recommended a rule which he conceived to be the best that could be adopted. His Grace had recommended that those battles should be entitled to the distribution of medals to all concerned in them wherein the general officers had received a medal at the time from the King's Government. He (Earl Grey) did not mean to say that that rule had not led to some anomalies; but he thought that, under all the circumstances, no better rule could have been adopted. Since the time when that rule was originally issued as a general order, it had been discovered that some cases of hardship had occurred under it; but in order to remedy those cases, medals had been issued to those officers and men who had served with the army in Egypt, and to whom medals had been previously issued by the Grand Sultan. By a recent order the services of the men in Egypt had been adequately commemorated. No further extension of the order appeared to be expedient; and he believed that both the noble Duke and his right hon. Friend at the head of the Admiralty agreed with him in that opinion.

The DUKE of WELLINGTON said, that as the noble Secretary for the Colonies had referred to him for his opinion, he must observe that he had formed and stated his opinion when former applications were made on this subject, not only to that, but also to the other House of Parliament. It had been stated that the army in the Peninsula had not been treated in the same manner as the army in Flanders, and as other armies which had served in China, and in the East Indies, and elsewhere. It appeared to him that the plan which would be most in conformity with the wishes of those who made the former applications, and of those on whose behalf the noble Duke had addressed the House, and which would be most calculated to gratify all parties, was to grant a medal to all those engaged in those great actions and achievements which, by order of the Sovereign of the day, had been commemorated by the grant of medals to the principal officers engaged in those battles. On that ground he had recommended the principle which was subsequently adopted, and which, he believed, had given general satisfaction. Whether that principle should be extended further, was for the consideration of Her Majesty's Government. All he could say was, that whenever he should receive Her Majesty's orders for such an extension, he would set to work to carry it into execution with the utmost diligence.

LORD COLCHESTER regretted that the order had not been carried further than it went at present. He was of opinion that when lieutenants had been promoted, medals should be given to the men engaged in the action. The first medal given was for Maida; all actions previous to that were excluded. The Thanks of Parliament, however, had been voted to the Army and Navy several times before that action.

The MARQUESS of LONDONDERRY, being an old officer, hoped that he should not be considered as intruding unnecessarily on their Lordships when he gave his opinion upon a question so important to the military profession. He declined entering into the consideration of the system on which medals were distributed in the Navy. He held that there was a great difference between the two services, and the rewards to which they were respectively entitled. His noble Friend (the Duke of Richmond) would recollect that when he originally brought forward this question for the extension of medals to the whole Army, officers and men, he (the Marquess of Londonderry) differed from him, on the ground that Parliament was not the place in which their services should be rewarded, but that their rewards should come from the officer commanding in chief on the field of action, and from him alone. The contrary rule would enable any officer who had strong Parliamentary influence to get himself rewarded, when, perhaps, he did not deserve it; and, if Parliament were called on to decide who should have medals and who not, there was no knowing where such a system would end. To appoint such a Committee as his noble Friend asked for, would be a condemnation of the Government of former days, or, at any rate, a questioning of the discretion with which they had bestowed rewards on important and serious services. If his noble Friend had not left the Army in his youth, he would now have been a major or a lieutenant-general, and would have discovered that he could not be so liberal in the distribution of honours as he was at present. The noble Duke at the table (the Duke of Wellington) was the best judge on such a subject. His (the Marquess of Londonderry's) opinion was, that his noble Friend (the Duke of Richmond), by increasing the number of medals, was decreasing their value; and, now that medals were distributed among the commissariat, you could scarcely go into a room where you did not find every man with either a star or a medal on his breast. He was well aware that the objections which he was then urging would expose him to animadversion; but, as the discussion was on a military subject, and in Parliament, he felt himself bound to urge them. He regretted that his noble Friend was still pressing for a further distribution of medals, and hoped that this would be the last time their Lordships would have a discussion as to the extent of reward to be granted to the officers and men of the Army —a point which ought to be decided by the commander-in-chief on the field, and by no other person.

The DUKE of RICHMOND could not promise the noble Marquess that this would be the last time he should bring this subject forward in the House of Lords; for he had been educated in a school in which every man was taught that, if he had justice on his side, he ought to persevere, ay, and to persevere until he obtained success. The noble Marquess had said that he had left the Army, and that, therefore, he could not be so good a judge as others of the rewards due to the services of the Army of England. Now, he had never considered himself as good a judge on that subject as his noble Friend, nor had he ever said or thought that he was a better judge than others. The noble Marquess had said that if he had remained in the Army, and become a lieutenant-general, he would not have been so liberal to officers and men as he then was. Now, he had not quitted the Army until all chance of foreign service was at an end, and until he found that, owing to a severe wound which he had received, he was not fit either for colonial service or for service in the East Indies. Such being the case, he had scorned to remain in the Army, when he knew that by length of years alone he might in all probability win a regiment, and so take the emoluments of the service from those who stood in more need of them than himself. He wanted this medal to prove that the red coat and the star of a general officer did not extinguish the gratitude which he ought to feel towards those brave soldiers who had enabled him to render service to his country. He could assure his noble Friend opposite (Earl Grey) that those felt grateful who had received these medals, and that those were deeply disappointed who had not. On a former occasion the noble Marquess had declared that not one soldier cared for a medal unless it were the spontaneous gift of the Sovereign, and had then proceeded to charge him with hunting after popularity in bringing forward a Motion to grant them. It was right and proper that this subject should be often discussed. Could any man expect Her Majesty to be acquainted with the merits of services performed before She drew her breath? It was the theory of the constitution that all honours proceeded from the Crown; but the practice was that they were bestowed by Ministers on their responsibility. He gave high credit to the present Ministers for having overthrown the antiquated prejudices on this very question. He bowed to the authority of his noble Friend at the table, from whom he always differed with pain, but he hoped that he might tell his noble Friend, without offence, that he did not believe that the rule which his Grace had laid down for the distribution of medals to the Army had satisfied the Army. Many of the soldiers could not see the reasons for the difference drawn between the various actions in which they had fought; and among the old soldiers now discharged—for very few of them were still in the ranks—there was considerable dissatisfaction. The medal of the Admiralty was granted even for gallant boat actions. If private soldiers, and non-commissioned officers, could be recommended for commissions by his noble Friend at the table on account of their extraordinary gallantry on trying occasions, surely such men ought to be entitled to wear a medal appended to their breasts. His Grace then proceeded to express the surprise with which he had heard, in the last two or three weeks, that the good-conduct medal, which was one of the best foundations for the good discipline of the Army, had been recently granted under regulations which were very objectionable. He did feel that it was very hard upon the soldier that, because the medals were sent to the Mint to be engraved, and the Mint could not engrave them fast enough, the soldier was to have his medal transmitted to his regiments, and was there to pay 2*s.* 6*d.* out of his pay for the engraving before he could receive it. If the Mint could not engrave the medal in time, that ought to be a charge on the Mint, and not on the soldier. He (the Duke of Richmond) was a strong advocate for economy, but this was too stingy an economy to find any advocate in either House of Parliament.

The MARQUESS of LONDONDERRY had not blamed the noble Duke for quitting the Army; on the contrary, he had expressed his regret for it. He agreed in all his noble Friend had said as to the charge for the engraving of these good-conduct medals. They should be no expense to those who received them, and they should have the word "Richmond" engraved at their bottom.

EARL GREY said, that it was not owing to any motive of economy that the present charge was made for these medals. To put an end to that which had caused great dissatisfaction in several regiments — namely, that discharged soldiers could not get their medals at the time of their discharge—the present arrangement was made, by which they were forwarded to the captains of their respective companies.

The DUKE of WELLINGTON said, that the reason why this charge was made to the soldier was, that the expense of engraving the medal could not be charged to the public until there was a grant to that amount made by Parliament, and that required time. The Commander-in-Chief had no power and no funds to meet that expense. It was the desire of the men themselves that their names should be engraved on their medals, and there were no other means of doing it than through the Mint.

Subject at an end.

POOR LAW (IRELAND).

The EARL of DESART said, that in bringing forward the resolutions which he proposed for their adoption, he must entreat their Lordships to allow him to remind them of the vital importance to Ireland of the question of outdoor relief. It was a question upon which hung, not the prosperity of any one class or interest of the people of Ireland, but the very existence of all interests, ay, and of property and of life. In order to lay clearly before their Lordships the ground on which he proposed the resolutions for their adoption, it would be necessary to take a brief retrospect of the causes of the terrible state of some parts of Ireland, which had been truly described in the petition from Ballinasloe, which had that evening been presented by his noble Friend (Lord Stanley), and of the legislative blunders which had accelerated the catastrophe. When their Lordships met in 1847, an unexampled calamity pressed upon the united kingdom, of which the noble Marquess opposite had said—in the most able speech which he then delivered—that, since the period of authenticated history, he could not remember any calamity falling upon a civilised country so great as that which had fallen upon Ireland. The measures then passed were of a temporary nature, and he would not dwell upon them. Disastrous as they were in some respects, he would not allude to the Public Works Act and others then passed, with a view to the immediate though temporary relief of the people, but proceed at once to that which was permanent, the most fatal of all, under which, not one particular interest, but all Ireland was now groaning—he meant the extension of the Poor Law. That law had been originally passed when it was supposed the country was in a sound social condition; and had that been so, it would have done no harm, and, had it been worked well, would have originated no abuses. But it must be remembered, that it was passed without the contemplation of outdoor relief; nay, there were most stringent provisions against it. Their Lordships would remember that it was passed with the universal concurrence of all parties; but it was agreed with equal unanimity, upon the experience of England herself, that outdoor relief was a most expensive, a most unmanageable, and a most objectionable system, and that all its evil would be aggravated a hundred fold if it were introduced in Ireland. Notwithstanding this, in the summer of 1847, when the country was still smarting under the great calamity which had shaken every interest and had annihilated many—when in some districts the existence of any poor-law at all was a doubtful problem—when the state of the country called for different and far more comprehensive measures, and a more active and energetic legislation, the system of outdoor relief was inflicted upon Ireland. Did their Lordships consider for what they brought these dangers upon that unhappy country? Did they calculate that, while they passed a measure which must increase in every respect the danger and difficulty of the struggling unions, they were passing one which was totally inadequate to meet the crisis? Did they incur these great dangers without the hope of any satisfactory result? How could they expect at that time, with tenants destitute of capital, and deprived even of their own sustenance by famine, and enervated by the idle and demoralising effect of the public works—with landlords with tenants that could pay no rate, and with their lands charged with an accumulated load of debt—that either could come forward and save the country? The consequence of this fatal experiment had been a total and entire failure, and he would prove it a failure throughout the country —a more gradual failure in the struggling districts, and a miserable and immediate failure in the distressed districts. He trusted to be pardoned for troubling the House with a few facts, gleaned from papers which had only been laid on the table two days. He thought they would give ample proofs that the warnings of those who were connected with Ireland, honestly conceived and strongly urged, ought to have been more listened to. He would mention, first, that in the statistics laid on the table—and which, he must say, he had expected, from what had at different times been hinted by noble Lords opposite, would have worn a different aspect —there was but one fact from which the most sanguine could derive any cause for hope, and that was the fact that there was a small decrease in the number of persons who had received outdoor relief. In the year ending September, 1849, there were 99,000 fewer people than in the year ending September, 1848, receiving outdoor relief; but in the same period there were 30,700 more who had received indoor relief. The latter fact, in his opinion, completely annihilated the former as a ground for hope in any improvement in the condition of the country, and he would show them why. In his own union, when they were enabled to put 700 persons additional on the indoor list, the outdoor relief list was immediately reduced to the extent of 6,500. The reduction of 99,000 was therefore fully explained by the fact, that 30,000 more were compelled to become indoor recipients. While, therefore, this reduction afforded no real grounds for congratulation, every other portion of the statistics suggested the most desponding feelings. The total expenditure for the support of the poor in the year ending September, 1849, was 2,097,000*l.*, while in 1848 it was only 1,800,000*l.* There were, besides, enormous debts, owing to contractors for supplies of food, and to private creditors for establishment expenses, leaving out of consideration altogether the heavy debt due to the Government. He found this debt, in 1848, was only 268,000*l.*, while, in 1849, it was 513,000*l.* But, what would their Lordships say when he told them that, in 1848, the total number of unions in debt was but 49, while, in 1849, the number was swelled to 105? That showed that the amount of debt was not only increased, but that all those unions had been sunk from the level of solvency to that of the unions in debt. These figures were bad enough, but they did not give those unacquainted with Ireland a sufficient idea of the depths of misery to which, for the most part, she was sunk, and the utter destruction and annihilation of capital and hope which reigned throughout the country. They did not show the poor-rate collector going from house to house, and seizing, not produce, but capital; going from cottage to cottage, and taking away the poor man's cow, his horse, his pigs, or even his seed, and oftentimes wringing from the peasant the last groat which he had to sustain himself and his family. Was this a prosperous state of things? And yet this was what was done in the most prosperous districts of Ireland. He would not now select the union of Kilrush, the miseries of which were in everybody's mouth; but he would take the first in the list, which happened to be the largest union in Ireland, Ballina. In 1848, when it was in a comparatively flourishing state, its expenses were 52,700*l.*, and to pay this there was collected only 10,000*l.*, and the deficiency in the former year was 3,600*l.* The union had then been assisted by Treasury advances to the amount of 36,000*l.* Was that state of things improving? The accounts of this union were but too faithful a reflex of most others in Ireland. He found that in September, 1849, the balance in the bank was 5*l.* 1*s.* 1*d.*, and against this was—due to contractors, principally for bread, 12,030*l.*; salaries due, 1,549*l.*; establishment debts, 4,785*l.*: making a total of debt, 18,364*l.*, exclusively of a debt to the general Bank of Unions of 221,866*l.*; and to pay this 18,364*l.* they had a balance of 5*l.* 1*s.* 1*d.* This would give some idea of the hopeless condition of these unions. He found that in the week ending the 22nd July, the balance to meet the expenses of twenty-two unions was 0*l.* 0*s.* 0*d.*—[*A laugh*]—and the amount of expenditure authorised that week was 15,059*l.* It was, for these twenty-two unions, in the weeks ending August 21, balance, 4*l.*; authorised expenditure, 14,750*l.*; August 28, balance, 4*l.*; authorised expenditure, 14,933*l.* What could be done? What hope was there for the rest of Ireland with these plague-spots existing in her heart? How could they expect capital to be invested, or even emigration to be less from these districts? If a man had been fortunate to save anything from his small pittance, he would fly from the land, and would that help to maintain the miserable and half-starving, demoralised population that were left? This was a gloomy prospect; but he could prove that it was a true one in every respect. He knew the difficulties were great, but he regretted most deeply that more decided steps had not been taken. They proceeded on a right principle when they said that every district should support its own poor; but he (the Earl of Desart) was more consistent than they, because he said that every district ought to support its own poor, and the poor of no other district besides. Districts ought not to be called on to support the pauperism of other districts over which they had no control; that would only sink those who were solvent to the common lot of bankruptcy. Gloomy, however, as were these prospects, the difficulty must be faced, and boldly faced. But how? There were three classes of districts in Ireland with which they had to deal—the solvent, the struggling, and the insolvent. The first two might be regarded as oases, in which only was there any hope of contending with the sterility around. He implored the Government and the House to do all that they could to assist the struggling districts, and to consider solemnly whether it was possible they could contend successfully against the system of outdoor relief, but rather whether it would not drive capital from them, render their exertions futile, and overwhelm them with difficulties. They should do their utmost to encourage improvements by arterial drainage, and by any other means which would give employment to the masses of pauperism now living upon the poor-rates. He had had a letter that day from a house in the City, saying that it was next to impossible to borrow money on any Irish property; and the Government, while it took for itself such security of the land which it considered safe, should offer its collateral security to the capitalist, or no money could be obtained to expend in drainage, or any other employment of the poor. He must turn to a darker side of the picture yet. How were they to deal with the insolvent districts? What did these require? What must they have? They required the direction of their labour, now employed only in receiving its dole out of the English treasury, into some productive channel, and by the emigration of those who were unwilling to assist by their labour in the regeneration of their own districts. It had been proved by experience that no private individual would risk his capital, and the Government must, therefore, step out boldly with some offer of security. If they would not, they might fold their arms at once, and see Ireland sink into a land of paupertsed desolation. There was one circumstance of great aggravation, respecting which he could not refrain from expressing his opinion. By their prices being reduced, and the only market for their own staple being destroyed by foreign competition, the last ounce had been put which broke the camel's back. The recent commercial legislation had reduced the prosperous to despair, and annihilated the struggling. They were told that, by these measures, nothing was contemplated but plenty and cheapness; the result had been, that they had the labourers as paupers to support on their sixpennyworth of Indian meal, instead of their getting their own livelihood by their labour. If such were the results of cheapness and plenty, he would willingly forego their benefits. He simply called upon the House by their resolution to echo the opinion unanimously expressed by their own Committee last year—merely to confirm that, by their voice, which the experience of England and Ireland had proved, namely, the mischief of outdoor relief; and by pledging themselves to that opinion, to give hopes to the people of Ireland of some great and comprehensive measure to meet the distress that pressed upon them. He hoped they would not consider this a question of party, but look merely to the facts which he had laid before them. The system had continued three years, and having been found most disastrous, he wished the House to pledge itself to the consideration of such new measures as the extraordinary and increasing distress of the country seemed to require, and therefore begged to move the following resolutions:—

"1. That under the Provisions of the existing Poor Law, the Resources of many Districts have been found utterly inadequate for the Support of the Population; and that while the Act has thus failed to accomplish its Purpose, it has produced Bankruptcy and Ruin in some Districts, has driven Capital out of the Country, and has enfeebled and paralysed the Efforts of both Farmers and Landlords.

"2. That it is the Opinion of this House, that these Mischiefs have resulted from the Extension of the Poor Law of 1838, and the Adoption of a System of Outdoor Relief, at that Time not contemplated; and it is further their Opinion that no permanent System for the Relief of the Poor can be carried out in Ireland safely and beneficially to Receivers or Payers, without a Return to the Principle of the original Law, by a strict Application of Indoor Relief to all Classes of Paupers."

The MARQUESS of LANSDOWNE said, the noble Earl had, in distinct terms, and certainly not at greater length than the importance of the subject deserved, proposed two resolutions, which, however, it would be his duty to oppose. He would state the grounds upon which that opposition would rest. The object of the resolutions appeared to be simply to condemn the adoption of the principle of outdoor relief. He would, in the first instance, recall to the recollection of the House that, on every occasion when the poor-law had been the subject of discussion, both previously to its introduction and on the various Bills for amending and extending it, the admission of the principle of outdoor relief had been always justified upon no other ground than that of inevitable necessity. He at least had never justified it upon any other ground. The noble Earl had stated there were other more vigorous and comprehensive measures which had been suggested in its place; but as he had not specified what those vigorous and comprehensive measures were, he (the Marquess of Lansdowne) was at a loss to know by whom they were suggested, or in what quarter they were to have been looked for when Parliament adopted what he admitted was a hazardous expedient in a country so situated as Ireland. The noble Earl had done him the honour to refer to a speech of his delivered some years ago, in which he described various measures that were, at that time, in the contemplation of Her Majesty's Government to be proposed to Parliament; but the noble Earl must also do him the favour to recollect that in opening those measures, he expressly stated there were only two of them, upon the beneficial effects of which he himself placed any confident reliance. Those two measures had since been adopted, and he felt perfect confidence in their successful results. One was for making advances for the improvement of land, and the other the measure for facilitating the sale of encumbered estates. After the experience of three years, he had not then any occasion to retract any of the opinions he expressed at that period; for, fortunately, he was prepared to state that the first had already had a most beneficial effect in laying the foundation for various improvements in many districts of Ireland; and the other, the Act for facilitating the sale of incumbered estates, was only just coming into operation; but he was persuaded that its effect would be, notwithstanding what the noble Earl had said, to attract capital to Ireland, and to excite a spirit of enterprise and speculation which would be highly beneficial to that country. The noble Earl might say, "Why, then, did you incur the hazard of admitting the principle of outdoor relief?" The only answer he (the Marquess of Lansdowne) could give, was the necessity of providing for the preservation of human life, and the desperate circumstances of the case. What other plan but outdoor relief could they have adopted? Ireland was then like a ship in a tempest, as unexpected as it was violent; and there was no other resource but outdoor relief. Hundreds of thousands of people would have perished under its effects, beyond those who actually fell victims to the famine, had not outdoor relief been resorted to; and he was not prepared to say, even with all the abuse which had attended its administration, that he should have been content to purchase exemption from that abuse by the actual destruction of hundreds and thousands of lives. At the same time he admitted it was the duty of Parliament and the Government to watch the operation of a principle so pregnant with danger; and, so far as means had been provided for that purpose, watchful care had been exercised. But it was impracticable to do so effectually without the operation of the workhouse test; and the application of the workhouse test, to the extent required among so vast a population, was impossible. Without that test in a population so extensive, so scattered, and, he was sorry to say, so habituated to deception and fraud, as that of Ireland, no degree of vigilance could prevent persons who were not entitled to relief from obtaining it. But he had, within the last few days, received a letter from one of the local inspectors, Captain Clarke, who stated that in twelve out of the fourteen unions in his district outdoor relief had ceased. In twelve unions it had been extinguished, and in two it had never been adopted. He had also the satisfaction of stating, that no order for outdoor relief was now in operation under the sanction of the Commissioners. It had often happened, he believed, that guardians had not exercised a sufficient degree of vigilance in the administration of outdoor relief, and that there had been frauds committed in consequence; and it might also happen, when the system was extinguished, that in particular districts some sort of indirect relief of this kind would be given. But the Poor Law Commissioners would call the attention of the guardians to it hereafter, in order to prevent that species of fraud from being practised. He had now, however, the satisfaction of stating that outdoor relief as well as indoor relief had been materially diminished in Ireland. Not only had the amount of outdoor relief decreased, but the number of inmates in the workhouses had diminished. Since the last returns were made, there had been a great, he had almost said a marvellous, diminution in the numbers receiving relief. He would state how the country stood in this respect up to the very last moment at which the account could be received from Ireland, namely, the 2nd February. He would take the week ending Saturday, February 2, with the corresponding week in the year 1849. The numbers of persons relieved in the week ending February 2, 1850, were 124,621; in the corresponding week in 1849 they were 546,407. This account included outdoor as well as indoor relief, and it showed a diminution in favour of this year of more than three-fourths. How, then, stood the question of expenditure? In the same week in 1849, the cost of relief all over Ireland was 14,081*l.*; in the same week this year, 1850, it was 2,673*l.*, making a difference for the better of more than four-fifths. The noble Earl would admit that this was not only a very great change as regarded the present, but also as regarded the prospects of the future. It might be said that this was a sudden diminution, and therefore not to be depended upon. He felt the force of that argument, and, in order to guard against it, he had referred to the returns for the months previous. From these returns he found that from the month of October there had been a progressive diminution in the expenditure, as compared with the corresponding months in the previous year. For example, in October last, the expenditure had decreased 18,000*l.*, in November it had decreased 40,000*l.*, and in January, 70,000*l.* It appeared also, from the documents in his possession, that the mortality both in and out of the workhouses had greatly diminished; there was more of comfort and health among the people; and whilst these great objects had been effected, the number of persons requiring relief was infinitely less than it had been before. There was another view to be taken of this subject, which was equally satisfactory. The part, of all Ireland, in which this progressive improvement was most marvellous, was that very part which had most intensely excited the commiseration, and almost the despair, of those who had been called upon to deal with its misery—he meant the province of Connaught. Frightful indeed had been the desolation among the inhabitants of Galway, Sligo, and other places in that district; but a rapid amelioration was going on in every quarter. He held a statement in his hand, comprising returns from eighteen unions in Connaught, from which he found that the monthly expenditure was reduced in those unions from 33,000*l.* to 17,000*l.*; the number of persons receiving outdoor relief had fallen from 98,000 to 11,000; and even the numbers in the workhouse showed a diminution from 37,000 to 34,000. The total numbers receiving relief in Connaught had been diminished altogether from 136,000 to 46,000. Such had been the salutary effects of the exertions that had been made. With regard to the administration of the poor-law, he assured the House that no measures had been adopted by the Commissioners without great consideration. It was considered indispensable to its successful operation that in the first instance a sufficient number of workhouses should be provided; and he was glad to say they had been aided in meeting that necessity by Her Majesty's Government. But in this respect great opposition had to be encountered. Many charitable persons were disposed to discountenance expenditure with this object; and the Roman Catholic priests, who preferred outdoor relief, had opposed the erection of workhouses. One of these, a very intelligent person, from whom he differed in this respect, Mr. O'Sullivan, the priest of a parish in which he had considerable property, was, he knew, amongst them; and, having mentioned that gentleman's name, he might be permitted to say that, having had occasion to complain of an erroneous statement respecting himself, made by him before a Committee of the House of Commons, he had shown the greatest readiness to admit and to explain the error, which he was persuaded was accidental; and he was desirous of adding that Mr. O'Sullivan was a highly respectable and instructed person, who had been intrusted with large funds for the relief of the poor, which he had ably administered. But since the necessity for them had been seen, Her Majesty's Government, the Poor Law Commissioners, and every intelligent guardian in the country, were satisfied it was to that principle alone they were to look for the future exemption of the administration of the law from abuse. He trusted, then, the House would be satisfied that a very great step had been taken towards the extinction of outdoor relief. It did not exist at present under the second section of the Act; but there must always be some outdoor relief under the provisions of the Act, which enabled relieving officers to relieve parties in cases of emergency. He would not, however, deceive the House. He expected that up to the 1st of June there would be many unions in which the Commissioners would be obliged to give what was called their sealed orders to this effect; but they would only be given under such circumstances as rendered it necessary. Under these circumstances he saw no advantage to be gained by their Lordships' adoption of a positive resolution, in a form to which he always entertained objections, even when not disposed to offer serious opposition—a resolution binding the future conduct of Parliament, and laying down principles to which it might be impossible to adhere. He should object to such resolutions even when he agreed in the principle on which they were founded; but he had no desire that, by rejecting the Motion, countenance should be given to the opinion that Parliament was favourable to the system of outdoor relief. There were certain parts of the resolution, too, in which he could not concur. He could not concur, for example, in that part which expressed censure upon the past proceedings of Parliament, for Parliament had only yielded to the pressure of overwhelming misery. He trusted, therefore, that before moving that their Lordships proceed to the Order of the Day, he had succeeded in convincing the House that no efforts would be spared until the original principle of the poor-law could be had recourse to, and until the principle of outdoor relief had been checked by the strict administration of the law. In conclusion, he hoped that every Member of Parliament connected with this part of the united kingdom was now in a position to see that the true progress which a country could make, was being made by Ireland herself, and that she was raising herself by her own exertions against the greatest calamity that had ever assailed any country upon the face of the earth. The noble Marquess then moved the previous question.

Lord MONTEAGLE said, that in the discussions on the Poor Law Extension Act two years ago, he had contended that the introduction of the principle of outdoor relief as a permanent principle would be fraught with inconvenience and danger, and, therefore, he had urged that it should be adopted only as a temporary measure. That view was acquiesced in by a majority of their Lordships, but by the influence of the Government it was subsequently and unfortunately overruled. Yet having been, that year, one of a Committee, including five Cabinet Ministers, which united in condemning the system, he had this night the further satisfaction of hearing the judgment of the noble President of the Council expressed in the same sense, and on finding that it was not intended to meet the present resolution by a negative. He complained that the House was not put in possession of perfect evidence to enable them to judge accurately upon this question; and he must also grievously complain that information and even public documents had been withheld, or at least had not been furnished, which were essential for a proper understanding of the case. He had been assured, on the part of the Government, at the close of the last Session, that when Parliament again met, the fullest information should be laid on the table; but he regretted to say, that up to the present moment that information had not been produced. It would have been as easy to give the figures up to the 21st of September, or to the close of the past year, as to give them up to the 29th of the September preceding. The latest information had been withheld from the House by the Government; and yet his noble Friend was in possession of these very documents, and had endeavoured to prove from their contents that there had been a great diminution in the expenditure and in the number of persons receiving outdoor relief, and had thence argued that the condition of Ireland was improving. He feared that his noble Friend was in a state of self-deception. He (Lord Monteagle) had been himself in Ireland during the autumn and winter, and was bound to say that he had not been able to observe any of those indications of returning prosperity to which his noble Friend had alluded. He (Lord Monteagle) would undertake to prove from the facts relied on that the inference drawn by his noble Friend was altogether fallacious. He would refer to the statistical returns from the unions of Scariff and Kilrush; and, comparing the number of persons receiving outdoor relief in those two unions at the present moment, and at the corresponding period last year, he had no doubt that a very considerable reduction would be exhibited. This, according to his noble Friend's argument, would be an unquestionable proof of improvement. But he must ask him to pause, and to examine the cause of this reduction. He believed that their Lordships would find that the reduction which had taken place was owing exclusively to the exhaustion of the resources of those unfortunate unions. They had not one single farthing left at their command to support the outdoor poor, and it appeared that Her Majesty's Government were either unwilling or unable to make any further advances to them for the purpose. In one week in one of those unions he understood that 11,000 persons had been struck off the outdoor relief list, and not one farthing had been applied to their support. Could this be relied on as a lessening of pauperism and reduction of rates which were an indication of returning prosperity? In the month of February last year, 26,000 persons were on the outdoor relief list in Scariff, and in the same month of the present year only 15,000; in Kilrush, at the former period, there were 25,800, and at the latter only 19,900 receiving outdoor relief. He believed there had been a total reduction from 52,000 to 35,000. This, which was the effect of ruin, was referred to now in proof of prosperity. The reduction, however, arose alone from the exhaustion of the means of those unions. He was aware of several instances in which *bonâ fide* reductions had been made by striking off persons not justly entitled to relief. This he believed to be solely attributable to the exertions of the Irish country gentlemen; and it suggested the inference that the Irish country gentlemen were more prudent and more successful in the administration of the poor-law than the paid vice-guardians of the Crown. But it was a total fallacy to suppose that these reductions were any evidence as to any improvement in the present state of Ireland. If the noble Marquess thought there were new prospects of improvement in that country, all he (Lord Monteagle) could say was, that the noble Marquess could see what the resident proprietors could not. It was true, that in some parts of Ireland farms on estates belonging to landlords like the noble Earl on the bench above him (the Earl of Lucan), were far better cultivated than they had been formerly; but let their Lordships take the number of acres in tillage, and the average amount of produce throughout Ireland at the present time and twelve months back, and they would find, he believed, a lamentable falling off. Of this the following return from his own county gave the most unquestionable evidence. He held in his hand, extracted from the official report made to the Government, the area cultivated under wheat and oats in the years 1847 and 1848, exhibiting a formidable diminution:—

Year.	Wheat.		Oats.	
	Acres.	Barrels.	Acres.	Barrels.
1847......	52,000	304,000	67,500	645,000
1848......	32,000	136,000	52,000	260,000

Thus in twelve months there had been a reduction in the area of land under wheat and oats of 34,700 acres, and a reduction in produce of 553,000 barrels. This, it should be remembered, was in one of the principal corn districts of Ireland. He had the honour of travelling through the south of Ireland during the summer and autumn months, in company with the Lord Lieutenant, and he had been unable to detect any signs of improvement. He had passed through a wide pastoral valley between

Cork and Mallow—a valley several miles in length, and having a gentle rise on either side, admirably suited for grazing purposes. How many head of cattle did their Lordships think were grazing in that valley? Why, from one commanding position he had not been able to discover more than ten head in all; and if this were the result of casting the eye over so wide a district of the country, it was impossible to avoid coming to the conclusion that the produce of the land was small, and the live stock miserably reduced, compared with the quantities produced in former years. Within the last forty-eight hours, it had been stated, upon the very highest authority, that of Sir George Grey, in the Commons, that the rateable property in England had increased since the year 1813 to a great amount; that in that year the value of the rateable property taxed amounted to 51,898,423*l.*, while in 1849 the rated property of England and Wales exceeded 91,000,000*l.* sterling. It was also stated on the same authority that the amount of taxation had greatly lessened during that period, and that the increased property of 1849, being 91,000,000*l.*, bore a diminished burden of taxation as compared with the 51,000,000*l.* in 1813; and they were told with great triumph—and certainly just triumph—that a burden which in 1813 amounted to 12*s.* 8*d.*, to every inhabitant, was reduced to 6*s.* 6*d.* in 1849. Yet, when this was compared with the present state of Ireland, could it be said that we were advancing? The value of Irish rateable property, computed at 13,000,000*l.*, had fallen below 30 to 40 per cent. It did not exceed 9,000,000*l.* and the poor-rate alone had augmented fourfold. In 1844, the valuation of Ireland exceeded 13,000,000*l.* It did not now exceed 8,000,000*l.* The poor's-rate levied in 1844 was 271,000*l.*; in 1849 it had reached 1,671,000*l.* But, even this enormously increased collection did not supply what was required. In addition to this, 97,000*l.* had been advanced for Munster, 202,000*l.* for Connaught, the private debts due to contractors had swelled to 513,000*l.*, and the expenditure had exceeded the rate collected by 435,000*l.* This was not the whole amount of the local burden. Far from it. To this were to be added the county rates, and the repayment of relief advances. Taking the whole together, the condition of parts of Ireland would best be illustrated by the union of Newcastle, which exhibits the following results; to which may be added that its aggregate burdens amount to 15*s.* 2*d.* in the pound:—

	1847.		1849.
Augmentation of rate	1*s.* 0½*d.*	...	11*s.* 2*d.* in £1.
Augmentation of paupers ...	5½	...	31 per cent.
Reduction of rated rental ...	£109,303	...	£75,301.

An important paper has this morning been distributed, which will enable the House to compare, or rather to contrast the burden of poor's-rate in North Britain and in Ireland. The population of Scotland is taken at 2,600,000; the valuation at 9,319,000*l.*; the rates assessed at 405,000*l.*, the average poundage of rate no more than 10*d.*, and the percentage of paupers to the population 5½ only. But this paper raises some collateral and most important inferences; whilst the Scotch rates are generally moderate, the rates at Port Patrick have risen to 4*s.* 4*d.*, those of Stranraer to 4*s.* 7*d.*, and at Old Luce, 11*s.* Though without local knowledge, he ventured to surmise that these rates were attributable to Irish pauperism, which, if left to increase as at present, and indeed stimulated by bad laws, would spread eastward, and would extend its desolating influence still further. If he went to the sources of the suffering—if he ascended to it through the details of official documents, he could not avoid finding that it was connected with outdoor relief; neither he nor the most strenuous opponent of outdoor relief felt at all afraid of any great abuses that were likely to accrue in well-managed workhouses. The evidence of every witness examined, the authority of last year's poor-law report, of the report of the Select Committee, condemned the present law. It was on this score that he urged upon the House the expediency of abandoning, as soon as possible, the whole plan of outdoor relief. The resolutions before the House, as he understood them, amounted simply to a condemnation of outdoor relief, and a pledge to abandon it, not at once or wholly, but as speedily as humanity and expediency would permit. The House is called on to affirm that the system should be temporary in its duration. Now, he would remind the Government that the proposition affirmed in the resolutions of his noble Friend was identical with that carried last year in Committee on the suggestion of their own Lord Steward. The mode of working out this proposition would be by the repeal of the first and second sections of the Act for the Relief of the Poor, and the enactment of a provision that during a period of one or two years the guardians should have a qualified power of giving outdoor relief to the aged, the sick, and impotent. They might exercise that power under sealed orders from the Commissioners, the power being temporary and limited to the particular case. That appeared to him the mode in which times of emergency might be encountered. But, in discussing this question, he must once more come back to the exhausted state of the country. In the electoral division of Castletown, out of 6,000 acres there were 3,000 out of cultivation, in consequence of the poor-rate and the other charges upon the land, which in Castletown exceeded 20*s.* in the pound, whilst in Clefden 11-19ths of the land lay waste. As to the discretion of the Poor Law Commissioners, he (Lord Monteagle) was not inclined to place reliance upon it. Their own report of last year showed with what discretion, or rather indiscretion, they had exercised their power of issuing orders for relief. One avowed object of the supporters of the poor-law was to prevent the influx of paupers into England; yet the Commissioners had actually issued several sealed orders granting special relief to the wives and families of men who had gone over to England, leaving their families burdensome. Not trusting to the attraction of high wages only, the Poor Law Commissioners actually tempted the poor man to leave Ireland for this country by the certainty that his wife and children would be supported at the public charge during his temporary absence. Here was a direct bounty given to the desertion of children by their fathers, and of wives by their husbands. There was another order to the effect that outdoor relief should be given to the wives and families of those who were in prison. It was thus proclaimed by authority to the poor of Ireland — not once or twice merely, but in many different forms, and at different times and places—that if the head of a family committed a crime, all the other members of that family should be entitled to receive outdoor relief; whereas, if he obeyed the law, he would be deprived of that relief which was reserved for the benefit of criminals — a most extraordinary lesson to be taught to the Irish people by their governors, and this a board of which the Chief and Under Secretaries to the Lord Lieutenant were members. Instead of correcting the indiscretion of others, the Poor Law Commissioners evidently needed correction themselves. By another order, it was declared that the mothers of illegitimate children should be entitled to relief; to the prostitute was granted what the virtuous matron could not claim. By another order, relief was ensured specially to those whose children were attacked with the hooping cough. Why this preference for one disease — why was the small pox, why were the measles, excluded from official favour? For his own part, he confessed that he preferred good statute law to the discretion of the Commissioners; and he believed that a good system would never be established until the Legislature reverted to the sounder principle of the law adopted and defended by the Government of Lord Melbourne—a law which prohibited all outdoor relief, but admitted to indoor relief all classes of the destitute poor. The House had been compelled to retrace its steps on many other points; they would have to do so on this likewise, for there would, he believed, be no safety for the country unless they retraced their steps with respect to the grant of outdoor relief. Let it not be said that the question was one which affected only the interests of property. His noble Friend had defended the administration of outdoor relief, by stating that it had led to the preservation of human life. He should hesitate to affirm that it had averted mortality, even confining himself to the evidence taken before last year's Committee. He held in his hand the testimony, not of an Irish landlord, or of a poor-law guardian, but of a person who belonged to that very class which his noble Friend had stated to be the most inclined to favour outdoor relief, and the most opposed to a restriction of relief to the inmates of the workhouse. It was the testimony of a Roman Catholic priest of Galway, which he was about to read. That gentleman said—

> "Under the operation of the present poor-law, in relation to outdoor relief, the people have died in thousands; and they have suffered calamities that it is utterly impossible for any gentleman here to conceive, unless he was in the immediate locality, and had witnessed that destitution. I have walked through the streets and roads through living corpses. I have seen the people lying along the roadside dying at the moment, notwithstanding all this, and they have dropped dead at the very door of the workhouse. My private opinion is, that more would scarcely have died had there been no relief afforded; and I am quite convinced there would have been less hu-

man misery, even though the people had died more quickly. As to the effect on the morals of the people, it is the most destructive system that can be conceived. You will see on the day of distributing relief probably 900 or 1,000 people standing round the place of distribution from morning till night; women, old men, and miserable creatures, cursing, swearing, pushing, and putting each other out of the way; everything that is disgusting is going on, arising from the habits of idleness, idle talking, and intercourse—there is every dissatisfaction that can be produced. The effect of the system is, that the people are altogether reduced to ruin and destruction."

Worse than this the state of the people could not possibly be, even if outdoor relief had been denied to them. He felt satisfied that the only safe principle with respect to outdoor relief was that of excluding it ultimately altogether. If it were not excluded from the Statute-book, it would, in some form or other, continue in operation, and the whole of remedial legislation, whether in respect to encumbered estates, draining, or to other measures, and so on, would be rendered nugatory, by reason of the evils resulting from outdoor relief. The diminution of the numbers of those who were then receiving outdoor relief, afforded facilities for putting an end to the system at the present time; but the resolutions did not pledge the House to any precipitate step, and therefore, if his noble Friend went to a division, he should vote for the Motion.

The Earl of WICKLOW did not differ with his noble Friend who had just sat down as to the facts which he had adduced, as he knew that his noble Friend had paid great attention to the subject. He, however, could not come to the same conclusion as his noble Friend, that, because he had supported certain resolutions in the Committee upstairs, that therefore he was bound to support the resolutions before the House. There was, however, a material difference between the resolutions before the Committee and those now proposed, for the latter part of the second resolution of the noble Earl declared distinctly that no permanent system for the relief of the poor can be carried out in Ireland safely and beneficially to receivers or payers without a return to the principle of the original law, by a strict application of outdoor relief to all classes of paupers, which went beyond the resolution proposed in the Committee. The resolutions before the Committee were prospective, but those now before the House condemned the existing system altogether. He believed the evils which had resulted from the poor-law had arisen from the abuses of the system, and not from its direct operation. He was fully persuaded, if the poor-law had never been introduced at all, and if Lord Melbourne's Bill had never been enacted, or the measure for its extension had never passed, the existing evils would be as great as they now were. He believed the evils so much complained of had arisen from the visitation of Providence. His noble Friend had said that persons had died from starvation under the poor-law system; but he (the Earl of Wicklow) believed the state of things would have been much worse without it, for all the relief given had been in mitigation of the evil. The country must be made to provide for the relief of the destitute, for it could not be expected that the Legislature would continue to give aid without the greatest exertions being made in Ireland. His noble Friend had praised the former poor-law; but under existing circumstances it became absolutely necessary that there should be an extension of it. He could not vote what he did not believe to be a fact; he therefore could not support the resolutions before the House.

Lord ABINGER said, he felt deeply convinced that the calamities of Ireland had not been exaggerated; at the same time he thought remedies might have been applied which would, to a certain extent, have alleviated the calamity without the infliction of the many evils which, under the existing state of things, had resulted. With regard to the resolutions before the House, he should consider it his bounden duty to vote in favour of them, because they tended to the limitation of a system which would be ruinous to any country. Though he should stand alone in his declaration, which he thought would not be the case, he would yet adhere to the conviction that the sooner the poor-law system was discontinued, not alone in England, but in every other country where it existed. the sooner might they expect the return of prosperity. He felt deeply convinced that the operation of the poor-law was as injurious as regarded the application of capital to agriculture, as it also was in its demoralising effects upon its recipients. By the poor-law the wages of the labourer were reduced, as well as the enterprise of the capitalist seriously affected. It might be said that with a poor-law England had long, and still continued to flourish; but she flourished in despite of that law, and not in consequence of it. Suppose the poor-law to be abolished, what would be the consequence? Why, the six millions now paid over under that law would not alone be saved; but that amount, he might say twice that amount, was certain to be invested in agricultural improvement, and the very paupers who at present were degraded and reduced to a condition worse than serfs by the receipt of their wretched dole, would be elevated to a condition of industrial prosperity and comparative independence. He therefore should support the resolutions of his noble Friend, because he believed that by adopting them they would be taking the first step towards ameliorating the present disastrous state of affairs.

The EARL of GLENGALL said, after the very able speech of his noble Friend, Lord Monteagle, he would not have thought it necessary to address their Lordships; but being an Irish representative Peer, and being extensively acquainted with the operation of the law in Ireland, and having attended several meetings in Ireland, particularly one where the gentry, landholders, merchants, and other classes, were all unanimous that, unless something were done to amend the existing system of poor-laws, there was no chance whatever for improvement in Ireland—he therefore felt it necessary to address a few observations on the present occasion. The noble Marquess observed that, in his opinion, there was a progressive improvement in the condition of Ireland. He (the Earl of Glengall) wished he could think so, or that he could see the improvement. Having spent lately several months in Ireland, and travelled through and resided in considerable districts, he must confess he could not bring his mind to believe that the country was progressing. No man could be more truly or sincerely desirous than himself, to say that the day had arrived when matters were really improved in Ireland. He assured them it would be his warmest wish and desire; but he did not think the moment had as yet arrived. It was true, as had been stated by the noble Marquess when quoting from his statistics, that the numbers receiving relief in 1849, as compared with 1848, were considerably diminished; but to argue prosperity therefrom would be most fallacious—the difference being in numbers some fifty thousand less in December, 1849, than in December, 1848. But then it should be remembered that 1848 was a year of the most unparalleled distress and misfortune in Ireland. In 1848 they raised 186,000*l.* additional under the poor-law, whilst in 1849 no less than 2,000,000*l.* were raised, and that in the year of so-called improvement. What was the consequence of raising that enormous sum in two years? The consequence, as might easily be foreseen, was most calamitous. The valuation on which the poor-rate was struck in Ireland was a rental of about 13,000,000*l.*, and it was clearly proved that the fall in the value of property in Ireland amounted to no less than 25 per cent. Now, would any man deny, or, rather, would any man contradict him (the Earl of Glengall), when he said that these 13,000,000*l.* rental were reduced by the famine, the free-trade policy, together with the other misfortunes that afflicted them, to 9,000,000*l.* or 10,000,000*l.*? Yet, upon that diminished rental, they had raised the enormous taxation just mentioned. He could assure their Lordships that the taxation at present levied in Ireland was paralysing and destroying the country; and if they should have another bad year like 1848, it was impossible they could go on raising such an enormous amount of taxation in the shape of poor-rate. In many districts in the south of Tipperary the taxation amounted to 27*s.* and 20*s.* per acre; and he wished to know how it was possible for persons to carry on agricultural operations under such an excessive load of taxation? Why, a considerable portion not only of bad land, but even of good land, way lying idle and useless; tenants could not be found to take up the farms which had been abandoned. In Ireland, at the present moment, men avoided land, particularly in the west, where there was no hope of improvement as compared with the south. In consequence of the immense taxation—principally resulting from poor-rate—the farmer who was possessed of any capital was driven to emigrate to America. The amount of poor-rate paid by them was heavy enough; but the undefined amount that might be expected in future years completely terrified them. They struggled through 1848 in the hope of better times; but seeing 1849 bring no sensible reduction of taxation, they emigrated to America in numbers that could find no parallel save in the case of the boors of South Africa. Men of capital were also frightened out of the country, and with them went large sums of money. The demoralisation amongst the farming classes, caused by the pressure of taxation and free-trade policy, was very great. They converted their crops into money, and then cheated the landlord, cheated the cess collector, the poor-rate collector, cheated their creditors, and betook themselves to America. Excessive taxation had brought everything in Ireland to a positive scramble between the tenant, the landlord, the county-cess and poor-rate collector, as also the several creditors who came with their decrees from quarter-sessions. The moment anything appeared above ground, or on the ground, the scramble commenced between all these parties; and, in fact, the rule was, first come first served. As they might imagine, the tenant took care to be first in the scramble, and carried off, almost invariably, the larger share. In consequence of an Act of Parliament, the effect of which was not alone to instruct but also to facilitate the tenant in cheating his landlord, crops were cut and disposed of on Sundays in despite of the landlord, which system had lately obtained to a fearful extent in Ireland. It had been said, "why not farm the lands in Ireland?" but to what avail with such enormous taxation? Again, if the farmer turned his land into pasturage, he had not stock to graze on it. So that in any case the land was compelled to go unproductive. A traveller might go from Dublin to Cork and see nothing on his way in the shape of stock feeding, if he excepted the goats in some localities. However, on Sundays, certainly, something might be seen; for those who had stock allowed them to creep out, because on that day the rate collector could not touch them. Altogether, however, there was so small an amount of stock in the country that it was not worth speaking about. One of the most fearful features in the picture was the awful condition of the labouring population. The cultivation of land, as corn ground, being given up, the labourers were thrown out of employment. He had been informed that in many districts the labourers were working for their diet without wages. Formerly in September and October months, the labourer received from the farmer six or seven shillings a week, with his diet, in the shape of wages; but during the last harvest they were obliged to be content with 2s. a week and their diet. Now, the case of the mercantile community in Ireland was almost as bad as that of the agricultural class, because, in point of fact, both classes were so intimately connected that they rose and fell together. The principal merchants in the south of Ireland dealt in corn, and were the proprietors of flour mills, which were as extensive as the factories in England. These gentlemen bought up large harvests at very low prices; but, notwithstanding, they found they could not effect sales in the English markets, owing to the immense importations of foreign flour, especially French, which had driven them out of the market, and they consequently could not dispose of the harvests they had purchased, except at a very heavy loss. These facts being known throughout the country, deterred persons from cultivating corn. The shopkeepers were in an equally bad condition. Formerly, a considerable trade existed between the ports in the Bristol Channel and Ireland in the article of flour; but at present these ports were supplied from Nantes, to the exclusion of the Irish traffic. It was really melancholy to see the numerous stores formerly occupied by merchandise at present converted into auxiliary workhouses, the Irish merchants having no use for them, and being glad to let them on any terms. To show there was no improvement in the country, he could state the circulation of money had decreased, and the deposits in savings banks also materially fell off. No business was doing in the towns. The shops were closed or unfrequented, and the importation of English manufactures, which formerly amounted to eleven millions annually, at present did not exceed four millions. It had been said that in Connaught matters were improving. Now, the evidence of Captain O'Neil, poor-law inspector, taken in May, 1849, stated that he had been urging the collectors of poor-rate to distrain those who had not paid, and their reply was, that "the small ratepayers, in many instances, had nothing to be seized on." Another inspector, Mr. Quigley, declared that, in many instances, the small ratepayers had not known the taste of milk for upwards of twelve months. He also added that on market days the only stock he saw offered for sale consisted of goats, and that a cow, formerly worth 5*l.*, would not bring half that price at present. They had also evidence to show that the state of things in Kilrush was so awful, that many persons, whose terms of incarceration had expired, refused to leave the gaol, having no means of obtaining food outside; and when forced out, they committed crime to get back again. Certainly, if 1850 brought about such a state of affairs as 1848 and 1849, all hope might reasonably be given over; and he (the Earl of Glengall) felt certain that if they did not alter the outdoor relief system, positive and certain destruction would result to the whole country.

The Earl of DEVON allowed that it was difficult to deny the state of distress existing in many parts of Ireland, of which the noble Earl who had just sat down had drawn an extended picture; but it appeared to him to be extremely difficult to say that the necessary conclusion from such an admission was that their Lordships ought at once to resolve to undo that provision of the law which enacted that persons suffering from destitution should be entitled to outdoor relief. He quite concurred with those who thought that the granting of outdoor relief was a measure which nothing but necessity could justify; but the very provisions of the law pointed out the mode by which relief should be afforded, namely, according to the discretion of the Commissioners. The noble Marquess had made some remarks on the progressive improvement of Ireland. He himself could only speak from private information, and his observations would apply only to a small locality; but as his noble Friend who had spoken on the other side of the House had referred to the Newcastle union, he had the satisfaction of stating that in many parts of that union the rates had materially diminished, and great improvement was going on. He stated that from his own knowledge, and from certain information. That union had suffered much from an unjust decision of the Poor Law Commissioners in the arrangement of the electoral divisions; but of late there had been an alteration in that respect, and, so far as his information went, it did not justify the gloomy picture which his noble Friend had drawn. [A Peer: Castletown?] He did not speak of Castletown, as he did not know what was the case there. With regard to the allegation that the distress existing in Ireland was attributable to the discretionary power possessed by the Poor Law Commissioners, he could not say that he agreed in that view of the case. And did anybody believe that the House of Commons would concur in providing from any other source that relief which kept a large portion of the Irish population from starvation? He could not think that the vice-guardians had done all the mischief which had been ascribed to them, believing, as he did, that the occupiers who resided on the spot had had something to do with it. The chief mischief had arisen from the mismanagement of local authority, but that was not a sufficient reason for condemning by these resolutions the system of relief now in force, with the object of getting rid of it as soon as possible.

The Earl of CLARE said, that the noble Earl who had just sat down, seemed to forget that he (the Earl of Clare) had, not very long ago, presented a petition from the ratepayers of the Newcastle union, complaing that the rate collected was 15*s.* in the pound, and that it increased by the amount of 10,000*l.* up to the end of last February. If this were true, he was at a loss to understand on what ground the noble Earl could say that the union of Newcastle was in an improved condition. The petitioners further added that they saw only one hope of recovery, and that lay in the establishment of new and small electoral divisions. He could himself say that the Newcastle union was in as impoverished a state as any union in Ireland. He concluded by stating that it was his impression that they would commit a gross error by forcing a country like Ireland to bear a burden which she was unable to bear; and they would only add to evils which their legislation was intended to remove.

The Marquess of CLANRICARDE said, that no one could deny that parts of Ireland were suffering at the present time under poverty; but the same extent of destitution which had existed during the last two years no longer prevailed. On that subject his noble Friend had quoted documents which it was his intention to lay on the table of the House; and he would ask their Lordships whether it would not be highly inexpedient to decide on a supposititious state of things when they had documents which would exhibit a different position of affairs from that which had been put before them by the noble Earl who had proposed these resolutions. About the poverty of parts of Ireland, and the tremendous pressure of local taxation in certain districts, there could be no difference of opinion; but was it wise to pass these resolutions, which were intended peremptorily and in every case to put a stop to outdoor relief? He agreed with the arguments used by the noble Earl against the system of outdoor relief; but even the noble Earl did not propose that they should immediately put an end to it. The noble and learned Lord over the way (Lord Abinger) had favoured them with a discourse on political economy. Now, he was one of those who concurred with the doctrine that all poor-laws were contrary to sound political economy, and he held that opinion as strongly as any man; but no man would now wish to abolish all poor-laws in the present state of Ireland. What would they do, he would ask them, if they passed these resolutions? Why, they would first excite agitation in Ireland, and would disquiet the minds of men who were most anxiously occupied in administering the poor-laws, with rigorous and vigilant economy, while the Poor Law Commissioners were aiding them in their efforts. They should take care not at the present moment to create an agitation which might render the continuance of that strict economy impossible; and if they attempted to narrow the limits of the operation of the poor-law, they might produce a reaction which would be unfavourable to the interests of the landlords, of the ratepayers, and of this country in general. On these grounds he thought that it would be very unwise to carry these resolutions. The present oppressed state of Ireland was not attributable to the existence of the poor-laws in that country, but to that awful calamity to which it had been subjected, not only to the potatoe failure, but to the bad harvests generally of the last few years. He called upon their Lordships, on the grounds which he had stated, not to adopt these abstract resolutions, which could do no great good, but which might do an immensity of harm.

LORD STANLEY said, that if it had been the wish of his noble Friend (the Earl of Desart) to obtain a declaration of hostility on the part of that House to the principle of outdoor relief in Ireland, he thought that his noble Friend must be amply satisfied, whatever might be the decision of their Lordships on the resolutions. There had not been one noble Lord who had spoken in the course of the debate who had not admitted that outdoor relief was in principle wholly indefensible, and that its temporary continuance could only be justified by absolute necessity. Except its first and last sentences, he had never heard a more able, powerful, and convincing speech than that of the noble Marquess (the Marquess of Lansdowne) in support of the views of his noble Friend. The only ground on which noble Lords opposite refused to sanction these resolutions was, that it was desirable not to suddenly put a stop to the system of outdoor relief. But his noble Friend proposed to do nothing of the kind; he proposed nothing more than was agreed to by a unanimous resolution of a Committee of their Lordships' House, reckoning among its Members five Cabinet Ministers, namely, that no system of poor-law ought to be adopted as a permanent system in Ireland which embraced the permanent continuance of outdoor relief. He did not wish to say anything against the management and control of the Poor Law Commissioners; but he must say that he had heard a statement that night which he thought would sound odd in the ears of Englishmen, and one of his noble Friends was so incredulous, that he would hardly believe his ears, or even his eyes, when he read the order of the Poor Law Commissioners. The classes in whose favour the Poor Law Commissioners had departed from the principle which had be enlaid down, were precisely the parties against whom, in England, the exception would be made. Women with illegitimate children—women whose husbands were in prison, and whose husbands were known to have left the country and gone to England—these were the special classes selected by the Poor Law Commissioners, who thereby gave a premium to that description of poverty which it was desirable to discourage and check. He had some little doubt, therefore, whether it was safe that Parliament should leave in their hands a discretion saying how outdoor relief should be limited, or of deciding when it would be a convenient time to depart from the present system of outdoor relief. He had heard, he must say with considerable surprise, one statement which had been made by the noble Marquess who had just sat down. He had warned their Lordships not to disturb men's minds, and so add to the difficulties of the local guardians; when, as everybody knew, the unions were so immense that the guardians, with the best intentions possible, could not exercise a proper control. He should have thought, therefore, that instead of a mischievous agitation, they could have nothing so much in their favour as an absolute enactment on the part of Parliament, forbidding them to do that which they had at present the greatest difficulty in refusing to do, though they knew the parties receiving relief were not entitled to be recipients. He would go further than the local guardians, and apply these resolutions in aid of the Poor Law Commissioners. Their Lordships were told that the Poor Law Commissioners were anxious to diminish outdoor relief to the uttermost; and if that was the feeling by which they were actuated, could they have a greater moral support against those who were claimants on the bounty of the State than the affirmation of the principle, that it was absolutely necessary to revert to a sounder system of poor-law relief? He would not enter into the questions which had been so well discussed by his noble Friends; but these few observations he had felt it his duty to make to the House before giving his vote, as he certainly should do, if his noble Friend divided the House, in favour of the resolutions. He was glad to find that Her Majesty's Government did not intend to meet these resolutions with a negative, which would be fatal to all hopes of prosperity for Ireland, but only with the previous question. Still, as he thought that no inconvenience could result from the success of the Motion, and that there would be a great advantage gained by showing the Poor Law Commissioners and the guardians that the House of Lords had reaffirmed the principle asserted in the last Session, that outdoor relief could not form any part of a permanent system for the relief of the poor, he should give his vote for the resolutions.

EARL GREY had not heard any argument in favour of the resolutions, though he had heard a great deal which went to prove that a system of outdoor relief was a dangerous and impolitic system. He had always held that, in Ireland as in England, this system was attended with the greatest possible danger, and that outdoor relief ought never to be granted to the ablebodied, except when every other kind of relief was impracticable. He thought also that even in the case of the aged and impotent, outdoor relief should be administered with caution and discretion; but he saw no reason why in Ireland more than in England the impotent and aged should be excluded from outdoor relief. But, holding that opinion, was there anything to induce him to vote for the resolutions before the House? He could hardly believe that their Lordships had read the resolutions. The first resolution affirmed that—

> "Under the provisions of the existing Poor Law the resources of many districts have been found utterly inadequate for the support of the population; and that while the Act has thus failed to accomplish its purpose, it has produced bankruptcy and ruin in some districts; has driven capital out of the country, and has enfeebled and paralysed the efforts of both farmers and landlords."

He totally and entirely denied the truth of the proposition which it laid down. He admitted that Ireland had suffered a great calamity; but to say that the poor-law was the cause of that calamity was contrary to common sense. He thought, on the contrary, that the poor-law had greatly mitigated that calamity; and if, knowing what had since happened, their Lordships were in a situation to be called upon to pass another poor-law, he should vote for that measure again. He would maintain that it was a just and right principle of legislation, and one which every man of feeling and humanity and justice must approve of, that landlords who, under the old system of potato culture, had received so very large an income from their land, should, when their tenantry were reduced to a state of starvation, be required to contribute towards their support. But they were not required to provide the sole relief. Parliament came to their assistance, and voted enormous sums of money, which were advanced in aid of the calamity which had fallen on that country. But the resolutions which the House was called on to affirm were not true in point of fact, and the arguments brought forward to support them had failed to do so. They were told in the resolution that the poor-law had "driven capital out of the country;" but where was the evidence of that? A noble Lord, who was a large landed proprietor in Mayo, had told them the other night that it was not the rates that prevented him from letting his land, because he had guaranteed the payment of all rates above a certain amount, and yet had failed to obtain tenants for some large, well-circumstanced farms. But it was stated in the second resolution—

> "That these mischiefs have resulted from the extension of the poor-law of 1838, and the adoption of a system of outdoor relief at that time not contemplated; and it is further their opinion, that no permanent system for the relief of the poor can be carried out in Ireland safely and beneficially to receivers or payers without a return to the principle of the original law, by a strict application of indoor relief to all classes of paupers."

Now, he should wish to hear from the noble Earl what practical effect he expected would be produced by affirming that proposition. The noble Lord knew as well as he did that it was the duty of the Poor Law Commissioners not to be influenced in the slightest degree in the administration of the law by any resolution of either House of Parliament. They were bound by the law of the land, and not by any resolution that either House of

Parliament might come to. And, in his opinion, the great evil of such resolutions as these was, that it condemned the law, which there was no intention to alter. He denied that the principle of the law required alteration. The law declared that outdoor relief shall not be granted except in cases where it was not possible to afford workhouse relief. How did he know but that circumstances might possibly occur again, as they had occurred before, under which it would be impossible to afford indoor relief to all who were in absolute want of assistance? In no other case could outdoor relief be administered; and if, therefore, they could not alter the principle of the law, he would ask, was it prudent or expedient for their Lordships to let it go forth as their recorded opinion that the importation of capital into Ireland, or improvements in the cultivation of the soil, could not safely be attempted, while a law existed which there was no intention of altering? If their Lordships contemplated an alteration of the law, he could then see the policy and prudence of affirming the resolution; but he believed that there was not one Member of their Lordships' House who believed it likely that any such change would receive the assent of Parliament. He would therefore again tell them to beware, for the sake of their own interests, how they passed resolutions which tended to discourage the importation of capital from this country into Ireland—a matter which he believed was destined, at no distant time, to work great improvements in that country. He had not intended entering into this question, and he would not trespass further on the time of their Lordships; but there was one observation more which he wished to add. The noble Lord had pointed out what he considered maladministration in the law. Now, if such maladministration existed, it was a fit subject for inquiry. He was not aware of the orders to which the noble Lord had alluded, and he confessed that, on hearing them, they did appear to him calculated rather to startle English ears; but that was a totally different question from the resolutions before the House. If they thought the administration of the law erroneous, they could bring it forward, and the House would be then able to obtain the reasons of the Commissioners for what they had done. He was willing to admit that the Government were bound to see that the poor-law was administered in a proper spirit; but that could be no reason whatever for adopting the resolutions which their Lordships were now called upon to affirm.

The EARL of LUCAN said, that he was not so much surprised at the strong opinions expressed by the noble Lord, as at the fact that, when entertaining such views, the noble Lord had not thought proper to bring them forward before the Committee of last year, of which he was a Member.

EARL GREY was understood to explain that he had taken an active part in the proceedings of the Committee until the draft of the report had been agreed to, after which he did not again attend its sittings.

The EARL of LUCAN said, the noble Lord appeared to stand alone, even among his own colleagues, in his views upon this question. The noble Lord had alluded to a statement made by him with regard to the depressed value of land in Ireland. What he had stated on that occasion was, that the land had been first depreciated by the poor-law, and that the subsequent lowness of prices caused by free trade had prevented its recovery. He did not wish, at that late hour, to enter into the question at large, but this much he might be permitted to add, that the acts of maladministration of which they complained had been committed principally by the vice-guardians under the sanction of the Commissioners.

LORD BEAUMONT said, that if it had not been for the speech of his noble Friend below him (Earl Grey), he should have given a silent vote for the previous question; but after that speech he could not do so, lest his vote should be misinterpreted. He differed as completely from his noble Friend as his noble Friend appeared to differ from all who had preceded him; and he, therefore, did not wish it to be supposed that, in voting for the previous question, he would do so on any of the grounds which his noble Friend had put forward. Until his noble Friend rose, he did not imagine that any one could for a moment have supposed that the operation of the poor-law, combined with other causes, had not tended to create ruin, bankruptcy, and distress among the owners and occupiers of land in Ireland. The receivers and payers of rent, or rather they who were entitled to receive and bound to pay, had been suddenly called upon to maintain a dense population from whose hands they received no labour in return, and by whose location on the land the very resources of the soil were diminished. The burden swallowed up the whole profits of cultivation, and neither landlord nor tenant could meet their other liabilities. When the Extension Bill passed through their Lordships' House, such a result had been anticipated by others as well as by himself; but still he felt that the choice lay between two evils, the other being the utter annihilation of thousands. He had foreseen that the effect of granting outdoor relief would be to create great injury to the landowner and the occupier, but he did not hesitate between that evil, great as it was, and the still greater responsibility which would rest upon them of not taking every means in their power, even at so great a risk, to save the lives of perishing thousands. They had, day by day, proofs before them that ruin and desolation had been caused by the pressure of the rates, and until his noble Friend addressed the House, he thought the fact had never been questioned by any person. Even in England, as was well known, the same result had taken place on a small scale in one or two places in former times. His noble Friend had denied that the pressure of the poor-rates had driven capital out of Ireland; but that he, of all men, should not know the fact was strange indeed—he who had the Colonies under his care, must he not have known that thousands had emigrated to them from this country? Was there not, in the office presided over by the noble Earl, documentary evidence of both the numbers and the superior class of the emigrants from Ireland? Was it not the small capitalist, and not the pauper, who had left the shores of Ireland? And, in fact, had not his noble Friend himself told them on former occasions that a vast proportion of these emigrants were capable of paying their own passage, and were carrying out sums of money with them? His noble Friend must also have been aware that enormous sums of money had left the country in the same manner to the United States, and, if such were the case, could it be denied but that capital was driven out of the country? If that were so, must not the paralysing of the efforts of both landowners and occupiers for the cultivation of the soil have followed as a matter of course when an enormous increase of taxation had been put upon them? If a man had 20*s*. to expend in improvements, and if they deprived him of 19*s*. of the amount, was it not clear that the remaining shilling must produce less effect than if they had left the 20*s*. to the person? and yet this was what his noble Friend attempted to deny. He was the more astonished at the speech of his noble Friend, because it was so contrary to all those that had preceded it. The speech of the noble Marquess he regarded as a most powerful exposition of the soundest principles of legislation on this subject, and as an emphatic repudiation of the doctrine of outdoor relief. He would add that if no other circumstance had followed from this debate than the fact that attention had been called to the abuses in the administration of the law, he thought they were sufficiently rewarded for the inconvenience of sitting to that late hour. If the charges made were true, he thought it was necessary that strait jackets or some other restraints should be at once provided for the Commissioners to prevent them from continuing to

> "Play such fantastic tricks before high Heaven."

What could the House think of a sealed order which gave indiscriminate relief to the wives and families of all the men who had migrated to England for the harvest, and who were at the time receiving the very highest wages of agricultural labour; or of an order which made the having illegitimate children a sufficient claim to outdoor relief; or of an order which entitled to relief all wives and children whose husbands or parents were committed to prison? He believed that with the exception, perhaps, of his noble Friend alone, there had been no second opinion in the Committee as to the necessity of going back to the sound system of indoor relief alone; but lest the resolutions might raise expectations abroad that their Lordships intended immediately to resorting to that alteration of the law, he could not give his support to the resolutions at the present moment.

The EARL of DESART replied: He said, that with the exception of the speech of the noble Earl, which had been so ably answered by the noble Lord who had just sat down, there did not appear to be a single dissentient to the proposition of putting an end to outdoor relief. He did not ask for any immediate abolition of the existing law, but merely for the affirmation of the principle that the system of outdoor relief should not permanently continue. As, however, there appeared to be a strong feeling against passing the resolutions at the present moment, he would beg leave, though he did it unwillingly, to withdraw the resolutions.

Then the said Motion and the original

Motion were, by leave of the House, withdrawn.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, February 21, 1850.

MINUTES.] NEW WRIT.—For the County of Sligo *v.* John Ffolliott, Esq., Chiltern Hundreds.

AGRICULTURAL DISTRESS—ADJOURNED DEBATE.

Order read for resuming Adjourned Debate.

MR. STAFFORD said, that Her Majesty's Ministers who had spoken on the question, appeared to admit the existence of distress in the agricultural districts, and were also deeply sensitive to the charge of treating the existing distress with levity and indifference. There were now two questions to be decided—one as to the continuance of the distress, the other as to the best manner of remedying it. With respect to the question of the continuance of distress, he had observed that while the Speech from the Throne contained expressions of the greatest gratification at the cheapness of provisions, the right hon. Gentleman the Chancellor of the Exchequer, and all the Members of Her Majesty's Government, present or past, had united to declare that the existing distress was only to be removed by a rise in the price of agricultural produce; and the right hon. Gentleman the Chancellor of the Exchequer had stated it to be his confident opinion that prices would rise. The Tamworth manifesto spoke of temporary depression, and the Netherby speech of agriculture being "under a cloud." Now, what was the meaning of these expressions? What was the "depression"—what was the "cloud?" He wanted the line to be given where cheapness, instead of a blessing, became a curse to the community. The noble Lord and the right hon. Baronet the Home Secretary had charged hon. Members with deceiving the farmers, by holding out hopes of a return to protection when they knew that was impossible. He denied that this was correct. The protectionists only said protection was a means to an end. The great object they had in view was to raise the prices of the produce in which the agriculturists dealt, to a remunerating point. It was, therefore, unfair on the part of Government to cast obloquy on them by asserting they intended to deceive the farmers, when Government, as a means of remedying existing distress, foretold a rise in prices. The right hon. Gentleman the Secretary of State for the Home Department complained of the hon. Member for Buckinghamshire for not alluding to the law of settlement in his Motion; but the hon. Member had made his resolutions large enough to embrace that question. As to the poor-law statistics produced by the right hon. Gentleman in reply to his (Mr. Stafford's) hon. Friend, he would tell the House that in his locality any statistics connected with the poor-laws which did not include the question of highway rates would be delusive. And when the right hon. Baronet the Home Secretary, occupying the position he did, brought forward the small amount of pauperism in the agricultural districts as an argument why no consideration should be given to the claims of the landed interests, he, in his high position, offered a very poor inducement to those connected with the land, who employed their labourers under all circumstances, and who had thus continued to diminish the number of paupers in their respective parishes. Was it meant to be inferred that because the landholders did employ their labourers, that was a desertion of their claims? The right hon. Baronet said that the agricultural labourers, whose wages had been reduced to 6*s.* a week, had had their wages unfairly reduced, unless rents had been diminished in proportion. But what on earth had the right hon. Gentleman to do with pronouncing that wages were too high or too low? The agriculturists had been exposed to competition with the whole world; they were told that everybody should buy in the cheapest market and sell in the dearest; and then, when they acted on the principle laid down by the Legislature, and were struggling to get labour as cheap as they could, the right hon. Gentleman got up and declared that those wages had been unfairly diminished. He thought the words which fell from his hon. Friend the Member for West Surrey must have made the right hon. Gentleman feel how dangerous was the present system. But the right hon. Baronet and those who sat near him were bad political economists. He (Mr. Stafford) had never seen, on the part of the noble Lord, or of the right hon. Baronet, any affection for political economy; but they ought at least to know the first rudiments of the science; and when they defined their first principle that wages were too low, and not apply that principle elsewhere, so long it would become them (the protectionists) to proclaim the difficulty of a system to which its supporters found it so difficult to adhere on general principles. As an instance of an improved state of things, the right hon. Baronet said that the criminal returns were higher in former years than they were last; and he quoted in confirmation of his argument a charge of the hon. and learned Recorder of London, who had stated the number of criminals in 1849 to be less than they had been in 1848. But he did not think that the learned Recorder drew the inference which the right hon. Baronet sought to establish, and for this reason, that the year 1848 was the year of Chartist disturbances, when an immense amount of atrocities was committed by those who followed the Chartists, under the pretext of political excitement. Therefore the conclusion at which the right hon. Baronet arrived was fallacious. But here were returns, which had just that moment been put into his hands, from Scotland. They were official returns for the years 1849 and 1845. Here was an account of the amount of property stolen, and recovered by the police, in Dumfries, for 1845, showing *232l.* 13*s.* Amount of stolen property, and recovered, in the year 1849, 835*l.* Then there was a return of the number of vagrants; in 1845 the number was 2,262; in 1849 it was 5,684. Let the House consider how likely, in a discussion like this, a one-sided glance at statistics was to tell for the moment. Another hon. Gentleman stated that the criminal returns in 1836 were lowest, and in 1847 they were the highest. Now, in 1836 there was a stringent corn law—in 1847 they had a free trade in corn; and therefore if there was a far lower amount of crime with a stringent corn law, than under a system of free trade, there was an increase of crime, and the weapons might be turned against the hon. Gentleman. But the speech of the hon. Member for Manchester demanded a more detailed consideration than he had ventured to give it. He adopted a tone on Tuesday night which he must say, if he intended it to be the charmed voice to allure hon. Members to his lobby, was rather singular in its character. The hon. Gentleman made no disguise whatever: whatever professions of sympathy might fall from others towards the landed interest, he made it no secret that he most cordially hated them, he believed not individually, but as a class. The object he aimed at, or the conclusion thus led to, was intelligible enough—the utter abolition of home agriculture. He hated the constitution which they endeavoured to maintain, almost as heartily as the cause they advocated, and in the cordial cheers which greeted his announcement that he was not "a farmer's friend," might have perceived how the House believed his assertion. But the hon. Member for Manchester forgot in the usually excited character of his speeches to tell them whose friend he was! Did he mean to say he was not the friend of any class asking for the removal of grievances? Did he mean to say he was not the friend of any class asking for the diminution of taxes which they considered pressed deeply upon them? If the hon. Gentleman fell into a passion with every such class, how angry he must have been with the manufacturers who came forward and asked for and obtained the entire repeal of the duty on cotton wool! How angry with every one who wished the repeal of the duty on paper! He would say the circumstances were different. And so they were different. Because in every consideration of the landed interest the hon. Gentleman forgot the statements of his hon. Friend the Member for Buckinghamshire, that a great number of that class were a poor hard-working class, with ruin hanging over them; and he had stated this over and over again in the House; but the hon. Gentleman took no heed of that cardinal point, and, therefore, he charged him with something more than coquetting — with wilfully eluding. If the right hon. Baronet conceded the distress of the agricultural classes—if the hon. Member for Manchester, doubting, still refused to go into Committee, he thought the speech of the hon. Member for Haddingtonshire—who made them all regret that one who spoke so well spoke so seldom—put the question on the ground which had not been contravened. He stated that they did not place this claim on any distress at all, but upon the question of justice. Now, it was not the first time that the views of M'Culloch, Ricardo, and others, had been proclaimed in that House, that a duty of from 5*s.* to 8*s.* would only be an equivalent for the taxation levied on real property; and he might still quote a more recent high authority, who, as he was in his place, would contradict him if he quoted him wrongly. He referred to the right hon. Baronet the Member for Tamworth, and these were the words which the right hon. Gentleman was reported to have used—

> "Further, it may be said, that the land is entitled to protection on account of some peculiar burdens which it bears. But that is a question of justice rather than of policy. I have always felt and maintained that the land is subject to peculiar burdens; but you have the power of weakening the force of that argument by the removal of the burden, or making compensation. * * The last is a question of justice, which may be determined by giving some counterbalancing advantage."—*Hansard*, Vol. lxxxiii., p. 70.

And he must give the right hon. Baronet the Home Secretary this credit, that there was nothing contradictory or antagonistic to those views which he had read to the House; on the contrary, the right hon. Gentleman left a suspicious opening to himself as to any other charges which might be placed on the Consolidated Fund. But in reference to the Motion of his hon. Friend the Member for Buckinghamshire, the right hon. Gentleman said this was not the time to bring forward such a Motion—that the Chancellor of the Exchequer had not declared what were to be his financial arrangements for the year. Wait, said he, till something positive is known. But he (Mr. Stafford) had heard that sort of language before; and he knew also that there were always two answers ready from Ministers—for if hon. Members brought a subject on before the financial statement, they were first told they could not know what the circumstances were, and that they should wait for the budget. Then came the subsequent official announcement, and the unlucky Member was told if he complained that the whole thing was settled for the year, it was then too late, and he begged to postpone the matter till next year. He was astonished that the right hon. Gentleman should have had recourse to so poor an artifice to baffle the claim of the agricultural body. His hon. Friend the Member for Buckinghamshire one year brought forward a measure which he was told was so large that the Government had not the mind to take it in. Then, his hon. Friend brought in a smaller scheme, and he was then told it was only 3*d*. in the pound, and he complained that the right hon. Gentleman should condescend to such an artifice. And now the right hon. Gentleman said he was glad that the hon. Member for Buckinghamshire had given up all notion as to a protective policy, and he said that he was glad that question was settled down. His (Mr. Stafford's) answer to that argument was this:—He said there had been meetings, not convened—not stirred up—by landlords, but by tenant-farmers, at which they were asked to do their best to return to a protective system. And what did they do? Why, the very moment they came to that House they raised this question, and brought it to an issue, and they had a large majority against them. He was not prepared to underrate the importance of that majority. In the face of that majority he said that the rights of the minority ought never to be exercised to obstruct the public business of the country. That was not the course which he should be disposed to sanction. But let the House recollect what took place when the right hon. Baronet the Member for Tamworth resigned office. The resignation of that right hon. Gentleman was within a night or two of the House of Lords having passed the Corn Bill. Then the cry was, "See the advance of a new era!" Previously a Coercion Bill had been thrown out in the House of Lords, and the Corn Bill passed the House of Lords! Thus, none of Her Majesty's subjects were to be coerced on the one hand, and protection was denied on the other. Had they not had three Coercion Bills since? Had they not had recently another restrictive measure? Half the predictions which had been made had been falsified; how then could they believe the other? The opposing principles of protection and free imports never could be settled, for they were intermingled with the repeal or modification of every tax. So long as they had to deal with so large an expenditure the question never could be settled, and even the noble Lord and those who supported him thought so too. But how far were the Government prepared to carry out their free-trade scheme? How far were they prepared to repeal the duties on timber, on butter, on cheese, and manufactured articles? If they stopped short of this, how could the question at issue be settled? The farmer said the question was not a settled question; that as regarded him he had not free trade with his own land, he could not promote the growth of beet freely, he could not grow tobacco, he could not make his malt. "You have tied my hands," said the farmer, "with regard to the foreigner, and you load me with imposts on my own produce, and until you remove these burdens I cannot understand how you are to say that this question is settled." The hon. Member for Manchester doubted the character of the agriculturists. He told them there were two tests in store for them—the one was the game laws, and the other was a Tenants' Compensation Bill. With regard to the Tenants' Compensation Bill, it did pass through that House with scarcely a single word being said, and the only word of objection to it came from the hon. Member for Cockermouth. But the hon. Gentleman the Member for Manchester was going to test the agriculturists by his Bill on the game laws. Now he would apply a test upon him. With regard to the past, how had that hon. Member pursued his course as to the game laws in five years? In 1845, he found that the hon. Gentleman had given notice of a Committee on the subject of the game laws; and they (the protectionists), in obedience to the suggestion of the right hon. Baronet the Member for Tamworth, yielded the point of the Committee without opposition, and the Committee was appointed on the 10th of March, 1845. The Committee sat till 30th July, on which day the report presented recommended the reappointment of the said Committee. But the hon. Member for Manchester either found his zeal cooled, or the difficulty of the case he had introduced—and he never moved the reappointment of that Committee—never during the years 1846 or 1847 attempting to bring in a Bill, so that in February, 1848, he (Mr. Stafford) ventured to inquire what were the hon. Member's intentions, and if the hon. Member had forgotten the matter, after bringing up witnesses from the woodlands of Northamptonshire; and the hon. Member's answer was, that he had been engaged in the consideration of the growth of cotton in India. He (Mr. Stafford), therefore, hoped that after so long a consideration, the hon. Member for Manchester had settled that question. But on the 23rd March, 1848, a Bill was introduced, and the House adjourned. The Bill disappeared, and the flash of the pan vanished. The hon. Gentleman said he would bring it in again, but the hon. Member for South Derbyshire brought in a Bill in the mean time, which was a very good measure, and a practical amendment of the game laws. At a meeting of the Manchester operatives, it was declared that a declaratory Bill should be brought in in reference to what was called a Ten Hours Bill, and he thought that as the hon. Gentleman tested them (the Opposition) on the game laws, they might test him on the Ten Hours Bill. But now he came to that part of the subject on which the Home Secretary said the hon. Member for Buckinghamshire had touched but slightly; and right well did the Home Secretary merit his own censures, for anything more meagre or niggardly than the right hon. Gentleman's allusion to Ireland he had never heard. It was, therefore, his (Mr. Stafford's) painful duty to enlighten the House and the right hon. Gentleman on the state of Ireland—at all events in respect to those localities with which he was intimately connected—in order that Irish Members who proposed to vote against any reconstruction of the poor-law, and the amount of local taxation on real property in Ireland, might be able to get up and state why they thought the present state of things should continue. His hon. Friend proposed suggesting to the Committee, but not pledging any one to a single item, to something of an arrangement which he would propose. Now, he would take the

Establishment charges	£289,000
Funerals, law, &c.	35,000
Collectors' poundage rate ...	41,000
Emigration	70,000
Administration of justice expenses	55,000
Making together	£490,000

The emigration grant to be dependent on an equal portion of money being raised by the union. This sum of 490,000*l.* he proposed to grant to Ireland. He hoped, however, that his right hon. Friend the Secretary for Ireland would lay before the House a statement of the real position of the south and west of Ireland. He would, with the permission of the House, read a letter from a tenant-farmer of Clare, upon whose word he could place implicit reliance:—

> "Some members of the Government talk of the improvement visible in the circumstances of the people of the south and west of Ireland. The daily evidence of one's senses is sufficient to attest the utter absurdity of such statements. The great diminution in the number of outdoor paupers which has taken place recently is not a correct mode of arguing for the ameliorated state of the country, seeing that multitudes have been struck off the relief lists in consequence of the withdrawal of the sealed order of the Poor Law Commissioners, which authorised relief to be given to the ablebodied. This is the real cause which has lessened the number of paupers, and not, as alleged, the change for the better which has taken place in their worldly state. . . . We had Mr. Lynch, the assistant poor-law commissioner, at

our meeting at Ennis on Wednesday last. . . . . In our case he had no great necessity to preach economy, inasmuch as our funds in the hands of the treasurer amounted to 167*l.*, while Mr. Russell insists on receiving ready cash for each week's delivery of meal (about 140*l.* a week), and while the sheriff stood in the room with an execution against the goods of the workhouse in his hand. On Wednesday I was appointed by the board to perform the duty of 'ruling up' the book of one of the relieving officers — that is, of rejecting the application of some paupers, and giving relief to others. About 120 applied. Of this number I gave outdoor relief to two, and workhouse accommodation to two more; but with little or no space in the house, and with an insufficient sum of money to buy meal, I could do no more. . . . . It is painful to hear people attempting to lead the House of Commons into the belief that our population here are rising in the world, while it is abundantly apparent that the condition of all classes is getting worse. The number of small farmers breaking down and quitting the country is as great as ever, and the levelling of cabins continues to go on as was usual for the last two or three years. From my opportunities, I cannot but derive a pretty extensive and accurate knowledge of the circumstances of the small landholders and cottiers, and the conviction is strong in my mind that they are declining in worldly circumstances, notwithstanding what Lord John Russell said to the contrary. The appeals against the poor-law valuation of the unions of Ennystimon, Scariff, and Ennis, have had the effect of reducing it by 30 or 40 per cent. I have advised the lowering of the valuation of another neighbouring union, in order to avoid law costs."

[Lord J. RUSSELL: I beg the hon. Member's pardon, but I stated distinctly there were no favourable accounts from Clare.] He would go to Limerick, then, and show distress was not confined to Clare. He believed the noble Lord was not unacquainted with the state of Limerick, inasmuch as the board of guardians had passed resolutions which were forwarded to the noble Lord. The following was one of them:—

"That the board regrets much that a misstatement has been enunciated in Parliament—namely, that poverty has been on the decrease in Ireland. Everybody at all acquainted with the country is aware that the poor-law returns are by no means a proper criterion to judge of the state of the country, inasmuch as from a want of resources and the general depression of the times, thousands not on the outdoor relief lists are extremely destitute."

A member of the board declared that three were 15,000 living in Limerick in want of the common necessaries of life. He would ask the right hon. Baronet the Secretary for Ireland whether he was aware that bands of people, to the disturbance of the public peace and the violation of property, paraded the streets of Limerick in such a manner as rendered it necessary to call out the police and the military? And he would ask whether the cry of these misguided men was not "bread or blood?" and whether it was not the opinion of all classes in the city of Limerick that the total absence of commercial business in Limerick, and the dismissal of people from employment, was not the proximate cause of the disturbance? He regretted the hon. Members for Limerick were not in their places; but he expected that those hon. Gentlemen from the south of Ireland who intended to vote against the Motion of the hon. Member for Buckinghamshire would be prepared to state the reasons why they did so, lest it should be concluded that they were of opinion the present state of things should continue in Ireland, or that they preferred a system of eleemosynary doles, taken without gratitude, and consumed without benefit. Those who sat on his (Mr. Stafford's) side of the House refused to separate the question of Ireland from that of England. Many of them believed that Ireland, once severely injured by English monopoly, was now about to be injured by English free trade, and that, from having been a victim to a system which made every custom-house an impassable barrier, she was about to be made a greater victim by the annihilation of custom-houses altogether, by the unrestricted and free admission of articles of foreign produce. Although many Irish Members would vote for the Motion of his hon. Friend the Member for Buckinghamshire, they would be in a minority in consequence of the heterogeneous compound opposed to them; many landed proprietors on the Ministerial benches would be compelled to declare their joy at the success of a system which depreciated the value of their property, and perilled the influence of their class. The question was too momentous, and the cause too gigantic, to be decided by one majority. They on his side of the House would continue, as far as in them lay, to save those hon. Gentlemen opposite from their friends, if friends they could be called after the speeches at Manchester and elsewhere. They would still contend that cheapness was not the sole rule for the consultation of senates, and that, as with individuals so with nations, the lowest bargains might be the dearest purchases. They claimed to be the largest party in the House—a party only to be beaten by combination—and they believed they were increasing in the country. They were a party not pledged to this or that import duty, but deeply and irrevocably pledged to that cautious and comprehensive policy which had consolidated our matchless empire.

[Sir R. Peel and Sir J. Graham rose, and there were calls for each; Mr. Speaker, however, called upon Sir J. Graham.]

Sir J. GRAHAM: Sir, it is with very great diffidence that I proceed to address the House under these circumstances; and, if it is their pleasure, I shall readily give way to my right hon. Friend below me. ["No, no!"] I was not aware that he entertained an intention to offer his observations at this period of the evening, or I should not have risen to address you; but, having done so, I shall, in obedience to your call, venture to offer a few remarks on the question before us. The hon. Gentleman who has just sat down concluded his speech by observing that the question we are now called on to discuss is momentous; and I think he added that the cause he advocated was gigantic. Now, I think it is most desirable that we should fix, if it be possible, the precise subject we are to discuss, and therefore I shall not follow the hon. Member into the question of the game laws. I shall not even touch upon the Ten Hours Bill, much less shall I dwell on the question of landlord and tenant, and, even though the subject of Ireland be more germane to the matter, I shall still pass over the Irish portion of the discussion, to which the hon. Gentleman has invited us, thinking, with your permission, that I shall best discharge my duty by offering what I have to address to the House at this early hour strictly limiting my observations to the question before them. I agree with the hon. Gentleman who has just spoken, that the question we are really to discuss is a very large one; but if I thought it could be narrowed within the limits, clear and simple, which the hon. Gentleman the Member for Buckinghamshire, who introduced the Motion, has assigned to it, I should have been perfectly willing to have rested my vote on the speech of the right hon. Gentleman the Secretary for the Home Department, who, in a clear, conclusive, and comprehensive manner— ["Oh, oh!" *and cheers.*] I hope (continued the right hon. Baronet, turning to the benches whence the cries of "Oh!" proceeded) that at least I may obtain a hearing, and have leave to express my opinions. The hon. Member for Dorsetshire and the hon. Member for West Surrey have in the course of this debate alluded to the past conduct of myself and of my right hon. Friend the Member for Tamworth. They stated that we had been false to the interests to which we were pledged. There were, I say, painful allusions to that time; yet it cannot be forgotten that I at least am identified in feeling, in habit, in prejudice, in strong prepossessions, and in personal interest, with the landed gentry, and if, from a sense of public duty, I should have inflicted an injury in any degree on that interest, you have the consolation of knowing that in doing so I have sacrificed my own. Under these circumstances I trust I may obtain at least a patient if not a favourable hearing. I was about to remark, Sir, that I did not think this question could be debated on the narrow grounds on which it was placed in the speech of the hon. Gentleman who introduced this Motion. I thought so at the commencement. What I have heard during the various speeches which have been addressed to the House, has greatly confirmed me in this impression; and I am satisfied the question we are now debating is no less than this—whether we shall commence an entire review of the whole fiscal burdens of this country. I do not think there will be much dissent from that proposition—if you recollect that in the first instance, as it was put by the hon. Member for Buckinghamshire himself, it is but the commencement of a series of propositions he is about to lay before us. Now, the moment that we hear this statement, it is clear that the present Motion is but a fragment of that large measure which he pressed upon the consideration of the House last year in the gross—it is but part of the detail of a question which he last year placed before us in an enlarged shape. It is not a reconsideration only of the measures which you have passed in former Sessions. It is not a question whether 2,000,000*l.* of poor-rate shall be paid by the proprietor or not, but the question is, whether you will transfer the entire poor-rate to the Consolidated Fund. But if there was any doubt about it on Tuesday last, when the hon. Member introduced his Motion, there could have been none on Wednesday, when a Bill came before us respecting the county rates. It was then frankly avowed that there was an intention of transferring these payments for asylums and other local purposes to the general taxation of the nation. And if the hon. Gentleman deals in the same way with the other local rates, this involves a question of 12,000,000*l.* But it does not rest there. The hon. Gentleman told you with perfect frankness he discarded the land tax, but it was only for the purpose of argument he did so. Nay more, I heard allusions during the progress of this debate to the malt tax in so far as it was a burden connected with the land. I wish to put this case with perfect fairness. Therefore, then, we are about to discuss the question, whether some 18,000,000*l.* or 20,000,000*l.* shall be transferred from the land to the Consolidated Fund. Now, this is certainly a question of immense magnitude. It involves the whole question of the fiscal arrangements and taxation of this country. I go further, and I say it involves the reversal of that policy which has been deliberately adopted by this House for the last five or six years. I say even more. It is not a question of reversal of policy only, but one of a change of Administration. A noble Duke in another place frankly avowed what was the intention of the great party to which he belonged—a party great from its numbers, its station, and its connexion with the soil of the united kindom. The noble Duke told you frankly what he meant. Their object is to turn out the present Government, to dissolve the Parliament, to return to protection, and to reimpose the corn laws. Now, you must take this in connexion with the frank avowal of the hon. Gentleman who is the leader of the party in this House. What did he tell you on Tuesday night? He said, "You must either reverse your policy for the last few years, or revise your taxation and redistribute your burdens." Nothing can be more true. The noble Duke said that he greatly preferred the first branch of the alternative. Does the hon. Gentleman who made the Motion before us differ from him? Quite the reverse. He puts the same alternative, and says, "I do not 'bate one jot of what I always have declared. I adhere to every argument and every opinion on this question—and I tell you, I think it would be wiser and more politic, to revise your policy and return to protection—no longer to cease to impose duties of revenue on articles from abroad, including corn, and thus indirectly to raise revenue having the effect of protection." The hon. Gentleman says, that is the branch of the alternative he prefers. Well, Sir, I ask, then, if the House has been fairly treated, and has the question ever been distinctly put to the House, whether they think it expedient to reverse their past policy, and think it right to return to protection? I was really surprised at something which fell from the hon. Member for North Northamptonshire on this point. I thought I heard him say that the Amendment on the Address raised this question. Now, I am in the recollection of the House whether those who moved, and those who supported, the Amendment, did not distinctly state that no person who voted for it pledged themselves in the least to the reversal of our past policy, but that it was merely a question whether sympathy should be expressed by the House for agricultural distress. Well, if this be so, the hon. Gentleman who made this Motion, and my hon. Friend who spoke last, are not justified in taking the division on the Amendment of the Address as conclusive with respect to the question of policy; and I say, in fairness to the House, to the country, and to practical discussion in reference to the fixed policy of Parliament, not a moment should be lost by Gentlemen entertaining those opinions, who think the present policy fatal and dangerous in the last degree to the interests they represent, in bringing the question distinctly before the House. How are we now debating it? The hon. Gentleman brings forward a Motion respecting the future finances of the country, and affecting its fiscal property. We are invited to take this step by the hon. Gentleman, while he tells you it is not the step he would prefer as most expedient and useful, and still, while he informs you it is the course he should least prefer, he presses it on you in an imperfect state, and does not state what are his ulterior objects, or what is that extended policy which he would more readily adopt. I cannot, Sir, hesitate one moment as to the course I shall take on this view of the case. But I should argue it very imperfectly if I were to stop here. Let us suppose we adopt this Motion. It is certainly a very clever device, and in itself is not unfair. But what would you do if you consented to it? You would go into Committee, and then, when you did so, the forms of this House would preclude the hon. Gentleman from moving any resolution of an operative or effective character to transfer local burdens to the Consolidated Fund. Without the consent of the Crown no such Motion is possible. The hon. Gentleman can only move a resolution of opinion, and such a resolution of opinion might as well be moved in full House as in Committee. But, as a matter of party tactics, there is great skill in this Amendment; for every one differing from this resolution, thus slightly sketched and indicated, and anxious to move something else which he may think more desirable, is, as it were, enticed by the way in which it is put, to place himself under the hon. Gentleman, and to vote with him. I can see it has not been unsuccessful. I admire the speech and the talent of the hon. Gentleman the Member for Haddingtonshire; but I think he has been caught by this device. He has declared himself willing to go into Committee, and, when there, is disposed to make some Motion respecting the poor-law, quite distinct from the proposition of the hon. Member for Buckinghamshire. Now, Sir, the hon. Member for Buckinghamshire, seeking to lessen or to mitigate, as he terms it, agricultural distress by dealing, in the first instance, with the poor-rates, was placed in a very great difficulty. He had to reconcile two objects, each of which it is hardly possible to combine with the other. It was, according to his view, absolutely necessary to maintain the local administration and control of the funds, and, at the same time, to make a large proposition for the purpose of adjusting the burden of the poor-rates. The latter was inconsistent with the former principle, and he, therefore, took a middle course. I think—he will excuse me for saying it—that he has not effected either object, and that he has more or less violated both principles. Limiting the discussion to the proposal before us, it seems to me that the relief which it would afford would be imperceptible to the landed interest as distinguished from other classes, while as relates to his proposal with regard to establishment charges, he violates the principle of local control, and falls into all the dangers of prodigal expenditure. I should be very unwilling to dwell upon arguments that have already been urged by other Gentlemen with much more effect; but it should be borne in mind, when we speak of transferring burdens, that this is but the commencement of a series of transfers; and if the principles violated are full of danger, and the relief insignificant, as I think it can be shown to be, is it worth while to encounter such risks? I cannot, in dealing with this subject, fail to call to mind what are the real facts which have already been put before you with reference to the poor-rate. I quite agree with the hon. Member for North Northamptonshire—and the point was also well put by the hon. Member for Haddingtonshire—that the question of the amount of the burden—the question of more or less of taxation, is quite insignificant, and is unworthy of consideration when the claim preferred is a claim of justice. The question is, is there justice, is there equity, in making this demand? I do not hesitate to avow that recent legislative changes have affected the landed interest with considerable difficulties and distress; but I would first of all observe, that although it was urged with great skill and emphasis by the hon. Member for Buckinghamshire, that since protection is withdrawn it is no longer a matter for inquiry whether the relief be given to the owner or the occupier of the soil, I entertain an opinion with reference to the interest of the tenant-farmer on the matter very different from the hon. Member for Buckinghamshire. I think it makes an immense difference whether the relief be given to the landlord or the tenant; and the tenant-farmer will agree with me in opinion. Supposing, then, that the proposed relief should, in some degree, mitigate the distress of the agricultural interest, who will be the party relieved? Well, knowing what are the relative interests of landlord and tenant, I say confidently that, excepting to tenants under leases, the relief as regards tenants will be inoperative altogether; and that, as regards tenants under leases, from the moment their lease expires, whatever they may have saved in the rate will have to be repaid in the shape of additional rent. But to proceed with the case of justice and equity. If you are to redistribute the burden of taxation, you will open up an immense chapter of comparative interest and comparative burden; and I entertain very great doubt whether the opening up of that chapter will in the long run be conducive to the interests of the owner of the soil. What are the facts that have already been proved with reference to the narrower ground of the poor-rate? Will the House allow me to recapitulate what was demonstrated the other night by the right hon. Gentleman the Secretary of State for the Home Department? If I mistake not, he showed that in 1849 the poor-rate under local administration, and the incidence of the burden being the same as at present upon real property alone, under all the disadvantageous circumstances of the times, the burden had fallen 15 per cent in England. The hon. Gentleman who spoke last said something regarding the casual poor, and a part of the present Motion also refers to the casual poor. Well, in Scotland, as appears from the report lately presented to this House, the burden of the poor-rate has somewhat increased in amount in 1849 as compared with 1847–48; but, under the good and strict local management of that country, the burden of the casual poor has diminished, and the number of recipients of relief has fallen 11 per cent. Now, when I mention Scotland, a case of equity presents itself. There exists there what the hon. Gentleman now desires to introduce into England. I say introduce, because the rating of stock in trade has never been carried into effect. I say that in Scotland a system of rating means and substance does exist, and in some populous and large districts too. [Sir J. TYRELL: Hear, hear!] The hon. Member for North Essex cheers that. What will those who are already rated upon means and substance say when they are called upon, in the shape of general taxation, to contribute to the diminution of the English poor-rate? That is a case of equity and justice. But these are of minor importance. The great question which presents itself is, will you consent to a reversal of your recent policy in respect to taxation; and will you again take a large portion of the burdens now resting upon property, and place it upon labour and industry? That is the real question, and it is a question of vital importance. Viewing it as a question of equity and justice, as a country gentleman, whose interests, perhaps, lie on the other side, I cannot hesitate to pronounce an opinion that there is neither equity nor justice in such a principle. If the House will bear with me, I will not trouble them with many details while I mention one fact. I think it has been demonstrated practically that we have proceeded as far, not only as it is safe but as it is possible with profit to proceed, in indirect taxation affecting the community. This was demonstrated when the right hon. Gentleman, at present First Lord of the Admiralty, came forward in 1841 and imposed an additional per centage on the customs and excise, as well as on the assessed taxes. That addition was not largely remunerative; and since that time, with the full approbation of all parties in this House, the income tax has been revived, and a large reduction made in the amount of indirect taxation. Still, let us be just. Let me call the attention of the House to the fact which strikes me as remarkable. I will read to the House a list of articles which will be admitted, I think, to constitute not only the humble comforts, but also the means of subsistence of the labouring classes. In using this term, I do not draw any distinction between the manufacturing and commercial classes and the rural population, because I contend that the interest of all these classes is identical; and I have always—although I can hardly allow myself to refer to this point, which is more or less painful from past recollections—but, as a country gentleman, I have always urged upon the class to which I belong, the great impolicy of pursuing their interests as a class apart from the interest of the entire community. I have always told them, and I tell them now, that, as a class with the community at our back, we are irresistible, and that there is no point, either of equity, justice, or policy, which we cannot force upon any Government; but that, on the other hand, if we as a class pursue our exclusive interests at the expense of the general interests of the community, we are altogether powerless, and our overthrow is certain. I will illustrate this. I have always contended, and the hon. Member for North Warwickshire will agree with me, that the most improvident bargain that could have been made, was that which the landlords made in 1819, when, in consideration of an exclusive corn law, which gave them the sole possession of the home market up to 80*s*. per quarter, they consented to the restoration of a depreciated standard of value—a standard which had been depreciated for a quarter of a century. That that was a most unwise and improvident bargain I thought then, and I think so now. They are about to pursue their class interests again by asking for the reimposition of the corn laws, in the vain hope of advancing the value of their property at the expense of, and in opposition to, the entire community. Let them be on their guard. The danger of the experiment is great—their success is impossible. I will return to the fact I was about to bring before your notice, that, after all our efforts to relieve the working classes from the weight of taxation, there still remains a tax upon the following articles:—I will begin with timber and bricks, of which their humble dwellings are composed; butter and cheese, which, after bread, constitute a large portion of the food of the humbler classes; and soap, which is indispensable to their cleanliness. I will next mention the small luxuries and condiments to their humble and indifferent fare. These are tea, coffee, sugar, molasses, currants, and raisins. There remain four articles of the character of narcotics and stimulants, by the help of which they seek to obtain a short oblivion of their sorrows and their cares. These are, tobacco, spirits, British and foreign, and malt, the staple of their beer. Are these articles unfairly selected? I think you will admit they are not. Well, what is the amount of the taxes levied on these articles, almost the necessaries of humble life? They amount to more than the interest of the entire national debt, namely, to upwards of 31,000,000*l.* Now, I ask, is there justice or equity in transferring existing burdens from realised property to the shoulders of the commercial, manufacturing, and rural labourers? But is the burden of the poor-rate, which affects the land, a progressive burden? Is it not the fact, that in 1813 the charge per head was 12*s.* 8*d.*, and that it has now fallen to 6*s.* 6*d.*? But it may be said that the currency entered into this difference of amount; that it is nominal, not real; that the 12*s.* 8*d.* was paid in a depreciated currency; and that the 6*s.* 6*d.* is paid in a currency fully appreciated. But is it not also a fact, that the value of real property brought to charge in a depreciated currency was, in 1813, 51,000,000*l.*; and that in 1844 it had risen to 85,000,000*l.*: and that in 1848 it had risen as high as 91,000,000*l.* in money of standard value? Nor is that all. There is the remarkable fact, that the proportion of taxation borne by land as contradistinguished from other realised property — such as canals, docks, manufactories, warehouses, railroads, &c., taking the entire of England, was in the year 1826 69 per cent, and other realised property 31. In 1841 the burden on land had diminished from 69 per cent to 52, and the burden on other property had risen to 48, and in 1849 the burden on land had fallen to 45 per cent, and the burden on other property had risen to 55. Such is the state of matters as regards the whole of England. It may be said that this proportion is not true as between parish and parish. I can confidently state that it is. Go into any parish and you will find that from the difficulty of its assessment the land is not rated up to its real value, while other property is rated up to its last shilling. What do hon. Gentlemen say to the case of railroads? This point was very ably put by the hon. Member for Manchester the other evening, when he stated that in 3,000 parishes traversed by railroads, out of an outlay of 800,000*l.* a year for the maintenance of the poor, the sum of 250,000*l.* was contributed by railroads. Nor does the fact stop there; the railroads are rated to every other local rate—to the highway rate, and even, I believe, to the church rate; and while they add nothing to the burdens of the land by introducing paupers, they tend to alleviate them by the employment of labour and the outlay of capital. I say, then, that on the principles of common prudence, it is not your interest to raise this question. I say, that your local burdens are becoming lighter; and if you would only leave the incidence where it is, you will find that it is the course of prudence to let well alone. I have said I do not deny that at the present moment the landed interest is labouring under difficulties. It has been asked what are the prices we expect to see realised for corn. Allow me to recall to your recollection some circumstances which I have seen in the course of my political life. I remember presiding over a Committee in 1833 which had for its object to inquire into agricultural distress. We had then the sliding-scale, which I believed was the mainstay of the prosperity of the agricultural interest. I presided, as I have said, over that Committee, and I drew up the report in conformity with the unanimous opinion of the Committee, which consisted of some of the ablest Members of the House; and the hon. Member for West Surrey will admit there was some ability in the Committee when I mention that one of its members was the late Alexander Baring. Well, in that report the agricultural interest was described as being in the most melancholy condition. It was stated that the capital of the yeoman and of the farmer was rapidly decreasing; and that the landlord was little better than the steward of the annuitant, and the mortgagee on his estate. And that was under the full operation of protection. Two years after, in 1835, the price of wheat was, for several weeks, at an average of 36*s.* per quarter, being a lower average than has yet occurred under the full operation of free trade. With the permission of the House I will read an extract from a letter from Lord Dacre to Lord Cloncurry, which I find in the memoirs of the latter noble Lord, describing the condition of the agricultural interest. It is dated Feb. 26, 1834:—

> "Our poor country is in a lamentable condition. We are less clamorous on this side of the water, but our condition is most alarming. Our distress—the agricultural interest—is unbounded. All this is the result of a long course of bad government. I know that the Government is influenced by an honest desire to mitigate our evils, and to remove the causes; but the difficulties that surround them are the accumulation of a series of errors."

I hope the House will excuse me for what I am now going to mention—it is not anything like personal vanity which prompts me to it, but I wish to depose as a witness as to what can be done by local management, by local administration, and by close attention to local burdens. My estates came under my control in 1822. The price of corn was then 44*s*. per quarter under a duty of 80*s*. My first attention was directed to endeavour to diminish the local burdens. The burdens to which I more particularly directed my attention were the poor-rate, and the highway rate, which belong to the ordinary class of local burdens, and the county rate, over which, as a magistrate, I thought I might exercise some control. From 1822 up to the present time—my property lying principally in two parishes, one containing a manufacturing town of about 2,000 inhabitants, not immediately under my control—by close attention to the poor-rate, aided by the alteration in the poor-law, we have succeeded in diminishing the poor-rate 35 per cent, the highway rate 36 per cent, and the county rate of Cumberland 40 per cent. Such has been the effect of local control and local administration. Well, what is the present position of the landed interest? Although I admit that distress exists, I trust it will not be of that permanent character which some hon. Gentlemen near me profess to believe; and, by way of consolation, allow me to call your attention to the indications of great energy and outlay of capital still applied to the land. I was extremely delighted by seeing in the annual returns of trade—which are most satisfactory for other reasons—that the importation of guano, the best of artificial manures for stimulating the growth of green crops, had increased from 72,000 tons in 1848, to 83,000 in 1849. Surely, too, if the cultivation of the land had ceased to be profitable, we should hear of no more applications for enclosures. What is the fact, however? I find, from the report of the Enclosure Commissioners, that the number of applications of all kinds to that office since 1845 has been 498, and the number of acres comprised in the applications for enclosure and conversion is 273,000; that the number of applications in 1849 was 129, comprising 48,000 acres. Is this, then, a state of affairs in which despair is reasonable? I repeat, that I look upon this question as a question of equity and justice. I stand upon that ground, and I think it the right ground on which to argue the whole case. I agree with the hon. Member for Haddingtonshire, that it is unworthy of the landed interest to apply to the Legislature in *formâ pauperis*, and to make an appeal *ad misericordiam*, and that they must stand solely upon the ground of equity and justice. Well, let me ask, are there no exemptions enjoyed by the land? Yes, I maintain that they enjoy most important exemptions. And, since we are upon the question of the incidence of taxation, those exemptions must come under review. I admit, that the stamp duty charged upon the transfer of property is very onerous, and ought to be revised. But still the land is exempt from the payment of all duty on the descent of property; whereas, since 1797, personal property has paid 60,000,000*l*. The following exemptions are also enjoyed: horses employed in agriculture, insurance on stock and crop, servants employed in husbandry, bailiffs, tax-carts, dogs of shepherds, horses drawing tax-carts, tolls on lime and manure, window duty on farmhouses under 200*l*. a year; and, what should never be overlooked, if the land tax were levied in strict conformity with the original law of William III., it would yield 9,000,000*l*. annually. It may be said, that in 1846 I was a party to a measure for relieving the landed interest of some taxes of the same character as those referred to in the present Motion. I admit it. I admit that we made a very large transfer—we transferred 600,000*l*. a year affecting reality—not land only, but real estate, and placed it on the national exchequer. I admit that, in principle, it is the same as the transfer now proposed; but it is a question of degree. I say, that we went quite as far in that direction as was either safe or expedient; and, so far from wishing to push the transfer further, I think that the interests of the State forbid us to proceed a single step further in that direction. And, besides, I beg to remind the House that the taxes transferred on that occasion were not so much local objects as national objects. I will illustrate this. One of these charges was for the education of children in workhouses, by undertaking, on the part of the State, that masters and mistresses should be chosen, selected not by local influence, but by central control, and in connexion with the Committee of Education, in order that the poorest and most distressed portion of the community should be ensured a better education. So also with respect to medical relief. It was not entirely transferred, but a moiety of the charge was retained as a local charge, to keep up a local control, ensuring general economy. But I know of nothing that so appeals to the heart of any right-feeling man as sickness in combination with poverty; and if any aid from the State can in any case be justified, what deserves more commiseration than the sufferings from ill-health of the poorest classes? I am sorry to have detained the House so long; but dissenting altogether from the plan for alleviating the burdens of the land, on which we are now invited to enter, I do say, consistently with the great principles for which I contend, and admitting that the landed interest is suffering to a considerable extent, there are reliefs which I think they are fairly entitled to ask for—I allude particularly to the duties upon bricks and timber. In the sanitary arrangements which are in progress, great importance is attached to a good construction of buildings; but the moment an outlay is made in that direction, it is at once checked by the duty on bricks. Then, with respect to timber, when the present timber duties were regulated, the navigation laws were in force, and we had not emancipated our colonies from the fetters of restricted trade. Measures have lately been carried, opening to the colonies the commerce of the world, and I think the shipowners have now a great claim to a reduction of the duty on timber. But, do I think the North American colonies entitled to a discriminating duty in their favour? I do not. I do not think that, in the altered circumstances in which they now stand, they have any claim to it. I am sure I only express the feeling of the House when I say that it is grievous to be debating this question in the absence of the right hon. Baronet the Chancellor of the Exchequer, whose illness I deplore, because he would be able to throw much new light on the subject. But I must say we ought not to forget that the income tax expires in 1851, and I am unwilling hastily to rush in and sweep away the surplus revenue now waiting that discussion. We will be better able to take a practical and enlarged view of our taxation next year, when the income tax expires; and, if it should be thought to be expedient to reimpose that tax, I will certainly put in a strong claim on behalf of the landed interest for an alteration of the terms on which they are assessed to that tax. With regard to Schedule A of the income tax, I am by no means prepared to say that it is fair to tax the landlord on his gross rental without making allowance for the course of management and repairs; and the arbitrary assessment in Schedule B of the tenant's profits, which, on farms above 300*l.* a year, are estimated at one-half of the rent, is still more indefensible. Let us, however, first of all economise the expenditure of the country, and then turn our attention to the exemptions claimed by the landed interest. With respect to the Law of Settlement, I believe the question to be one of the most important that can be discussed in this House, for I coincide in the opinion expressed by Adam Smith, "that there is not a labouring man in the community who has not felt the Law of Settlement, at some period of his life, to be injurious to his interest." I am sure if we wish to redistribute and equalise the burden of the poor-law, we cannot do so effectively without revising the Law of Settlement. There are 14,000 parishes maintaining their own poor. There are 680 unions. By the introduction of a union settlement, a great change would be effected; the circles in which labour truly circulates would be enlarged in the proportion of unions to parishes. But to return to the condition of the country, I must ask whether, with the exception of the landed interest, the country is not in a better condition at present than it has been for some time past. The hon. Member for North Northamptonshire has invited us to-night to the discussion of the condition of the people of Ireland. I think a more opportune moment for the discussion will arise during the progress of the Bill for making a loan, if, indeed, it be a loan, and not a grant, of 300,000*l.* to that country. I made an exception in the case of Ireland, but, with the exception of Ireland, can you say what is the condition of the great body of the people of this country? I will speak of my own neighbourhood. I have resided, ever since

Parliament last rose, upon my estate, and I am conversant with the condition of the population of Cumberland. In that county there has been no reduction of wages. I say nothing of my own estate; shame might deter a gentleman from reducing the wages of his labourers. But I speak of the farmer, of the occupiers of land, and the employer of agricultural labour, and I say that, generally speaking, there has been no reduction of wages. What, then, has been the condition of the ploughman and of other agricultural labourers? There has been no reduction in the wages of that class, while the price of all the articles which form the necessaries of life has been greatly reduced. I say positively that I never remember a period when so much happiness and contentment prevailed among the working classes of the country as at the present moment. Now, I ask you, will you disturb this happy state? Is it prudent to disturb it? Don't confine your views—you, the Legislature of one of the greatest countries in the world—to that which is passing immediately under your own eye. Look abroad and see what is stirring elsewhere. I was sorry the other night to hear a man of genius, like the hon. Member for West Surrey, carried away by his warm feelings into an expression of animosity against the manufacturing and commercial classes of the community. I grieve to hear such expressions of animosity against particular classes. I wish to see them all united, happy, and contented. And I must say that the policy I have adopted, with an earnest and sincere desire to do what I thought right and just to all classes, is, I believe in my heart and conscience, most conducive to the true welfare of the landed interest of this country. If the House will bear with me for a few moments longer, I will read a short statement which refers to a city which is next in point of size to this great metropolis—I mean the city of Glasgow. It occurs in the sanitary report to the town council of that city, and let me call the attention of the House to this report. It says—

> "I cannot help calling attention to the altered position in which Glasgow is now to that in which it was placed a twelvemonth ago. At that period we were suffering under the ravages and the fears of a dreadful distemper, with trade not yet recovered from the shock of the monetary crisis, and the working classes still only partially employed. At the present moment the city is free from any great epidemic—with trade and confidence restored—with money cheap and provisions low—with the merchant and manufacturer full of hope, and the working man full of employment; and when we add to these facts the inferences which may be gathered from the tables before us, viz., diminishing pauper funerals, and diminishing mortality, and increased marriages, coupled with the knowledge of monthly increasing customs' duties, increasing harbour dues, and diminishing pauperism, it requires but little prophetic power to predict that ere another year has closed the figure of our city mortality will then indicate a less deadly locality."

Such are the present condition and prospects of Glasgow, a city second only in importance to the metropolis. Sir, I am aware how dangerous it is to venture on prophecy in this House, but still I have a confident belief that it is impossible that the revenue of this country can be improved, resting on a solid foundation—that the commercial classes should prosper—that the manufacturing classes should be fully employed—that the prosperity should be general, saving only the landed interest—I repeat that I cannot believe that permanently or for a long time the owners and occupiers of the soil will be excluded from participation in the national welfare. I thank the House for the patience with which they have heard me. I have sufficiently indicated the reasons which are to my mind conclusive against advancing in the direction and taking the step pointed out by the hon. Gentleman the Member for Buckinghamshire, and I cannot hesitate in giving a decided negative to his Motion.

Mr. GLADSTONE said, that concurring cordially, as he did, with his right hon. Friend who had just addressed the House in the general opinions he had expressed with regard to the effect of our commercial policy, and having uniformly voted with him since the dissolution of the late Government on every important question affecting the trade and internal economy of the country, and attaching, as he did, the greatest weight to the authority of his opinion, he felt it incumbent upon him to state briefly to the House the grounds of the vote he intended to give, inasmuch as on the present occasion that vote would be different from the vote given by his right hon. Friend. He felt the more bound to state his reasons, because he thought that his right hon. Friend, in the course he intended to take, appeared to be mainly governed, not by that which was in the Motion now before the House, but by that which was not in the Motion. His right hon. Friend had taken the course which was usually effectively taken in that House, and had contrived, in the course of his able speech, to give an elaborate picture of all the successive propositions which might be expected to come in the rear of the proposal now before the House, the adoption of which would follow as a necessary consequence from the success of the Motion proposed by the hon. Member for Buckinghamshire. He said that his objections to the Motion were threefold—that its adoption would be followed by a change of Administration, by a transfer of 18,000,000*l.* to the Consolidated Fund; and, thirdly, by a reversal of the policy of free trade. Now, he (Mr. Gladstone) must confess that he saw neither one nor the other of these results as necessarily following the adoption of the Motion before the House. With respect to the change of Administration, that, he submitted, was a topic which ought not to exercise a paramount influence in that House on occasions when they were discussing claims which were raised as claims of justice to a great portion of their fellow-subjects. But, if he had rightly construed what had fallen from the right hon. Baronet the Secretary of State for the Home Department the other night, he had not understood that this was the ground taken by Her Majesty's Ministers, because the right hon. Gentleman had told the House, that when the financial statement of the year was produced, it would be open to the Government to consider each of the proposals made by the hon. Member for Buckinghamshire on its merits, and that hon. Gentleman might vote against the hon. Member's propositions on the present occasion, and might afterwards, with perfect consistency, when the financial statement was before the House, discuss the policy of the hon. Member's several proposals. Well, with regard to the transfer of 18,000,000*l.* to the Consolidated Fund, his right hon. Friend the Member for Ripon said that the proposals of the hon. Member for Buckinghamshire referred to a small portion of the poor-rate, the highway rate, and the county rate. But, did his right hon. Friend intend to say that, in voting for this Motion, any Member of the House would commit himself to any one of the ulterior measures which it might be the intention of the hon. Member for Buckinghamshire to propose? What was this practice of alarming the House with threats and hints of ulterior measures —a practice which was used alternately by each side in that House? When a Parliamentary measure of reform was proposed, the fairness of the measure was admitted, but it was said, "look to the ulterior measures of the parties who bring it forward." In like manner, when dissenting persons advocated some measure affecting the Established Church, the parties who resisted it always menace you with the ulterior measures, which they said would be sure to follow, for the destruction of the Established Church. And what were the answers which he had heard made, and very forcibly and truly made, by the noble Lord at the head of the Government, and hon. Gentlemen opposite, to these assertions? They said that it was the duty of the House to consider the proposition on its own merits, and that they ought not to withhold what was just and reasonable because it might be followed—nay, even if it were declared that it would be followed—by proposals which they might consider unjust and unreasonable. With respect to the third objection of the right hon. Baronet, that the Motion now before the House would, if carried, tend to a reversal of free-trade policy—

Sir J. GRAHAM: If I unguardedly used such an expression, it was not my intention to do so. What I said referred to the relief of the labouring classes from the great burden of taxation, and transferring that burden in part to the general revenue of the country.

Mr. GLADSTONE was happy that he had enabled his right hon. Friend to state that the expression he had used was an accidental phrase which did not altogether express what he felt, because if he (Mr. Gladstone) saw in the Motion now before the House the reversal of the policy of free trade, he should join with his right hon. Friend in offering the firmest resistance to such a course. He confessed that his view of this case was so weak, so mean, and so narrow, that he was almost ashamed to present it to the House after the gigantic picture which his right hon. Friend had drawn. But he did not consider he was giving up his discretion, nor that he was binding that discretion, by voting for the terms of the resolution announced by the hon. Gentleman. What he understood to be the purport of the Motion, and what he pledged himself to, was this:—The hon. Gentleman the Member for Buckinghamshire urged that there was a considerable portion of the charges connected with the poor-law which might be transferred to the Consolidated Fund, without detracting from the advantages of local management, or impairing the stimulus which local management gave to economy. Concurring with him in that opinion, he (Mr. Gladstone) was willing to go into Committee with him, and to consider what establishment charges or what other charges there were upon the poor-rates (whether in England, Scotland, or Ireland) or what expenses of management there were which, without injury to the great principle of local control, might be advantageously transferred to the Consolidated Fund. And he was the more encouraged to take this course, because both his right hon. Friend the Member for Ripon, and the present Secretary of State for the Home Department, had told the House that in respect to this transfer, they were acting upon a principle which the House had already confirmed, and the further affirmation of which was only a question of degree, of policy, and of prudence. He supported the Motion, because he thought there was some connexion between the present Motion and the policy which the House had recently adopted; and that the adopting of the present Motion would have a tendency to weaken the agitation for the restoration of protection. If there were reason and justice in the proposal itself, as he thought there was, he was of opinion that acceding to it would have a tendency to draw off from the agitation for the restoration of protection all those persons who were moderate in their views and less apprehensive of ruin from the repeal of the corn laws. He thought, thus, that there was a connexion between the two proposals which was fatal to the revival of protection; because the House would observe that what they gave to the farmer or to the landed interest was, according to the statement of his right hon. Friend, so much deducted from the items of the claims of the County Bill which his noble Friend the Member for Colchester said, his Friends were about to lay before the House. This was not all that their argument demanded, but it was a part; and the concession of that part would at least have some tendency to diminish the fervour and force of the demand made upon the House. He should, then, vote for this Motion on the ground that his right hon. Friend the Member for Ripon had declared that he would resist it. He would vote for it on the ground of its justice. It was impossible to look at the nature of the tax for the support of the poor, without being struck by the inequality of its incidence. It was true that no tax could be exactly equal in its operation, yet when they looked at the general expenditure of the country, they might fairly consider against one tax the compensating qualities of another. But the poor-rate was a tax levied for a special purpose, and what was it? It was the essential feature of police connected with the poor, and also an essential obligation enforced upon us by our religion. The maintenance of the poor had been recognised, not only by the dictates of political prudence but as the fulfilment of a religious duty; and if so, it was a duty which applied equally to all property. As a matter, therefore, of essential justice, there was nothing more clear than that it was desirable that property should be in some manner made liable to the support of the poor. But they were met with the objection that it was impracticable to levy the rate upon personal property. So it was. Let them continue their annual Bill until they had passed a permanent law recognising that as impracticable which was impracticable; and you put an end to all further discussion on the subject. But the objection of impracticability did not, at any rate, apply to the proposal now before the House. That was perfectly practicable, and if it were not free from imperfections, it was an approximation to justice. And here he must say that he thought the issue was not quite accurately put, as if this was a question between property and labour. Now, he did not so understand it as a question between property on the one hand and industry on the other, but as a question between certain descriptions of property. But it was said the poor-rate was a tax inherited by the landed interest, and that their property having come to them on this condition they had no claim to be relieved from the payment. Well, he would take it that the landed interest were asking to be relieved from this burden. What they were really asking at present was only to be relieved from a small portion of it. And how did the matter rest with respect to their inheritance? They did inherit poor-rates with their land, but they also inherited with it a protective system, which had given to this property an artificial value—a system which he admitted was as contrary to abstract justice as the inequality of the incidents of the poor-rate, and which, on the ground of this protective system being thus contrary to abstract justice, the House had effectually destroyed. If the land had borne the burden of the poor-rate in connexion with other advantages which compensated, and more than compensated, the landed interest for that burden, they had no right to plead the inheritance against removing the poor-rate, when the other compensating system had been taken away. The hon. Member for Manchester did not state this question fairly, when he said that for the last forty years the landed interest had been in the enjoyment of the artificial value given to their property by the corn law. It was true that the year immediately preceding 1815 was actually operative in enhancing the price of agricultural produce; but no doubt the hon. Gentleman was perfectly well aware that there was a very stringent law immediately before the year 1815—a very high duty of somewhere about 20*s.* or more a quarter applied to the importation of foreign corn until it had reached a price of sixty and some odd shillings. That restrictive system, which did give an artificial value to the produce of the soil, was a system of many centuries standing. For at least a century and a half it had been a system of a stringent nature, affecting the landed property of the country in the form both of prohibition and duty. The corn law being gone, you have no right to plead against this claim, if it be a just claim, the fact that it was inherited. He did not think that any one had denied that the relief of the poor was a purpose for which, as far as could be done, all property, and not one description of property only, should be liable. But his right hon. Friend the Member for Ripon raised another objection, and he (Mr. Gladstone) could but be surprised at the estimate he had taken of the immediate effects of the Motion now before the House upon the landlord and tenant respectively. Passing by the case of the yeomen and the small independent "statesmen"—who nevertheless had peculiar claims upon the sympathy of the House, and also the case of the holders of leases, who his right hon. Friend admitted would be benefitted during the currency of their lease—he came to the case of the tenants at will. And he did think that the opinion of his right hon. Friend would be shared by few of those who were conversant, not only with the legal, but also with the moral and social relations which actually exist between the English landlord and his tenant. He did not believe that in one case out of a hundred, the farmer who held from year to year would lose the benefit which this change would give in consequence of the landlord's raising his rent to a proportionate amount. He would grant that in the case of a change of the present occupier, the landlord would get the whole, or a great portion, of the benefit; but that he would exact it from the tenant farmer now in actual possession, under the circumstances of the case, he (Mr. Gladstone) did not believe. The tenant farmer and the yeoman would, then, be benefited by the Motion now before the House—the farmer during the term of his occupation of his lease, and the latter permanently. But suppose he did not deny that all the benefit of this transfer would eventually come to the landlord. The right hon. Gentleman did not give the House reason to suppose that he had any objection to some such measure in favour of the landlord, because he advised him, when the income tax was reimposed, to ask, not only on behalf of the tenant, but also on his own behalf—to ask that the agricultural interest might be placed upon a lower and fairer scale. But was the inequality of the income tax greater than the inequality of the poor-rate, which fell entirely on real and not on personal property? Or what argument could be urged against this measure which did not equally apply to the demand which his right hon. Friend had recommended the agricultural interest to urge next year? But there was this difference, that the measure now proposed was a proposition exclusive, immediate, and direct in its effects for the benefit of the land. It was a measure from which the tenant farmer would derive benefit for a number of years during a season of distress and of conflict with adversity. What fair or rational connexion was there, for example, between the Registration Act and the description of property which was made exclusively liable to the charge of carrying out this Act? While he recommended this measure on the ground of justice, he at the same time said that the House might do, and that they would do, all that was reasonably asked, without exhausting the available means of the country, whether arising from the surplus now in the hands of the Chancellor of the Exchequer, or from the retrenchments for which he believed there still remained abundance of room. He would also say that there were considerations of policy which ought to enter into the decision of the present question, and which might have some influence with those who did not admit the abstract justice of the Motion. His right hon.

Friend had described the flourishing condition of the great mass of the population; but he also stated that the occupiers of land were in a state of considerable difficulty and distress, which had been brought upon them by recent legislation. Now, looking at the three classes of landowners, occupiers, and labourers, he (Mr. Gladstone) freely admitted that the distress of the landowner was not such as to render it worthy of that body, or such as to warrant them in coming to Parliament for relief. But while he rejoiced in the full evidence that a large portion of the community were in the enjoyment of at least an equal or more than an average share of comfort, yet the condition of the farming class and of the agricultural labourers in a large portion of England, to say nothing of Ireland, was such as to demand the careful attention and consideration of that House. And if he spoke of them as justice, compassion, and prudence prompted, he need not wait for the financial statement of the year in order to do so. He would say, then, that there was no claim upon the House which derived so much strength from the circumstances of the present moment as that which arose from the present condition of the class of farmers, and the class of labourers which were connected with it in so many districts. No one doubted that agricultural improvements were proceeding, and it might be true that the importations of guano were increasing, yet it was impossible to avoid the conclusion that a severe struggle was going on, and that the farmers, as a class, were manfully exerting themselves to meet the crisis. There might be some whose hearts had already given way, who had prematurely learnt the lesson of despondency; but as to the others, they were engaged in a struggle in which they were prepared to spend every resource, and risk everything they possessed, and this might explain the increased importation of manures, the increase of inclosures, the progress of agricultural improvement, and the continued employment of agricultural labour, to which his right hon. Friend had adverted. But had this struggling class no claims upon the House? Was it not fair to show a disposition not only to use words of sympathy to this class, but also to stretch out the helping hand of encouragement and of aid? These men were the employers of labour, and of whose labour were they the employers? When employment was slack, could their labourers readily remove to another part of the country in order to seek it elsewhere? When his accustomed occupation failed, could the agricultural labourer turn his hand to any other? No, he was well nigh bound to the soil, as well by the habits of his life, as by the condition of the law. The occupiers of the soil were the employers of a description of labourers to whom it was idle and a mockery to talk to them of betaking themselves to other employments. Now, he was desirous that the House should show a disposition to give aid and encouragement to the tenantry and yeomanry of the country in their struggle on their own behalf, and on account of the vast national interests connected with maintaining our domestic agriculture; and he was still more desirous of this, because he apprehended that the first effect of this despondency would be, as had already in some instances been shown, a great diminution of the employment afforded by the farmer, and very severe distress among the peasantry of the country. If he looked at the case of that peasantry, how did his right hon. Friend's list of eleven articles tell upon them? It was all very well to talk of the taxes on bricks and timber; and he hoped they would see both speedily done away; but the removal of the taxes on bricks and timber had no immediate bearing on the relations of this class. Most of the other articles he named—tea, sugar, molasses, raisins, &c.—he was afraid the labouring men of the greater part of the south and west of England seldom indulged in, and their remission would afford them a relief altogether trifling. Certainly that relief could in no degree be compared with the advantage which they would derive from a more cheerful resolution on the part of the farmer to increase his endeavours to improve the cultivation of the soil. With respect, indeed, to the great articles, tobacco and malt, he was afraid that his right hon. Friend and himself were but on a par, inasmuch as he feared neither of them could authorise the reduction of a single penny of those duties. He did not think they ought to be deterred from giving a vote for a proposition that was just in itself, and which committed them to no details, but only bound them to work out in a *bonâ fide* manner a principle that was fair and honest. He did not think they should be deterred from doing so by any question about the law of means and substance that might perhaps linger in half-a-dozen parishes of Scotland, nor by any more important question as to the law of rating the railroads, which, he had no doubt, required very much to be amended, nor even by the inequality which, in the belief of his right hon. Friend, would be caused in the poor-rate, more particularly in relation to the tithe-owner. Those were things connected with the revision of the poor-law; but the House should not be drawn aside by these questions, which were independent in their character, and none of which were prejudged by the Motion, from considering that Motion on its merits. When he looked at the striking descriptions of his right hon. Friend, at the attempted overthrow of the Ministry, the transfer of 18,000,000*l.*, and various other convulsions of the natural and moral world that were involved, according to his view, in the Motion, he must confess that he was not prepared to discuss the nature of a plan so vast, and in the very contemplation of which he was entirely overwhelmed. But when he looked to the Motion, he saw that which was true, honest, and reasonable involved in it. And let it be recollected that he was taking no share in a scheme for the restoration of protection, for he thought nothing was more likely to damage the proposition before the House, than the association with it of a project of that nature; but he certainly saw no such formidable consequences in the plan of the hon. Gentleman the Member for Buckinghamshire. His right hon. Friend the Member for Ripon said he thought they had gone quite far enough in the transfer of local taxation; but the right hon. Baronet opposite, the Secretary of State for the Home Department, did not hold that language. On the contrary, after stating the financial objections to the proposal, he distinctly stated that he would be open to consider, when the finances of the year were before the House, what other charges there were upon the land which could be transferred to the Consolidated Fund without diminishing or impairing it. So that when he (Mr. Gladstone) compared the Motion with the speech of the right hon. Gentleman the Home Secretary, he did not find in them any difference of a nature absolutely irreconcilable, but felt that the difference came to be in the spirit and temper with which they were acting. He thought it was of the highest importance that when the Gentlemen who acted with the hon. Member for Buckinghamshire had made a proposition, relying on grounds of which they could scarcely dispute the abstract justice, some disposition should be shown to encounter difficulties in detail, for the purpose of meeting them in a friendly spirit. He thought that, independently of justice or of policy, after they had carried into effect a great change in the system of our commercial laws, the effect of which, as respected particular classes, had been to produce considerable difficulty and distress, there should be a disposition to treat the demands of that class in a spirit of liberality and conciliation. It was easy to mix up the discussion of this question with odious and offensive topics. He believed that if the tone was taken of arguing that this was a landlord's measure, and that it was for the relief of landlords, the effect of the discussion might be to add to the disunion that already prevailed between class and class, and yet further to adjourn the day when general harmony should be restored among all the interests of the country. But he trusted that would not be the case. He trusted something to that spirit of liberality and conciliation which induced men to concede something to those over whom they had obtained a great triumph. He addressed this simply to those who had no higher motive in the discussion; but he hoped there were many who would give their support to the claim now before the House, on the ground that it was based in justice. He trusted likewise that some who might not consider the claim as exactly one which could be mathematically demonstrated to be one of justice, but who regarded it as a claim connected with the gallant struggle of the farmers and yeomen and with the independent condition of a large portion of the peasantry of the country—he trusted that there were many such who would not hesitate to give their support to a proposition the reasonableness of which was, to his mind, clear and satisfactory both in its substance and spirit.

MR. J. WILSON said, on the ground of justice he would join issue with the right hon. Gentleman who had just sat down. He had thought the right hon. Gentleman, from the attention which he must have paid to the incidence of taxation, must have arrived at the conclusion, that, however unequal a tax was in the first instance, it was impossible for it to remain unequal. He would now come to another point, which had been much relied upon by the right hon. Gentleman and by other hon. Gentlemen. It was said that if landed property inherited those charges, it inherited them along with a protective duty. Here again he must join issue with the right hon. Gentlemen. He must deny that that protection was an advantage to the landowner, and he must also deny that the removal of a protective duty was a real disadvantage to the landowner. The hon. Gentleman by whom the debate had been opened that evening had asked, what was the cause of the undue depression, and why are prices now so low? That was really the great question at issue in the House, and if hon. Gentlemen would only give him their attention, he would endeavour to give an explanation on the subject. It was evident, he thought, that it would be far from prudent for any person to act on the present prices. He would show that they were now affected by such accidental circumstances that it would be the height of folly either in a landlord or tenant, or in the Legislature, to act in consequence of those prices. The present was not the sole period of depression they remembered; and when he heard the right hon. Gentleman relying confidently upon the argument that when the landowners inherited their properties, subject to the poor-laws, they also inherited the benefits of protection, he could not but recall to his memory the fact that there had been deeper distress and greater ground for alarm on the part of the agricultural interest under protection, which it was said had been made the compensation for the poor-rate, than could be shown at the present moment. The right hon. Gentleman the Member for Ripon had referred to the year 1833, and to the report of the Committee in that year; and he (Mr. Wilson) would refer to the report of another Committee, which sat in the year 1836. He asked any one who sat on that Committee, or read the evidence given before it, whether there was anything in the present time that in the slightest degree bore a resemblance to the depth of depression and despair that was exhibited in the pages of that evidence? It was premature, to say the least of it, to lay the basis of this claim upon an allegation that the landowners having inherited certain charges upon property, for those charges they had received a compensation, when he showed that with that compensation they had suffered greater distress and depression than at the present moment. The right hon. Gentleman who just sat down had alluded to the distress that he said existed in the south and west of England, and particularly the distress of the labourers: having spent a portion of the year in the county of Wiltshire, he (Mr. Wilson) could only say, that having seen the labourers there, he had not heard from any part of the north of England—from Manchester or Leeds—such unequivocal admissions on the part of the agricultural labourers, of the improving condition of themselves and of their families in the present year as compared with this time two years. It should be remembered, that at the present moment they were existing under very exceptional circumstances; and the fact was, that the farmers of England were not suffering so much in consequence of the harvest of 1849, or the prices consequent upon that harvest, as they were suffering from the bad harvest of 1848. There was a cause of distress connected with that harvest which few Gentlemen were really aware of. Unfortunately in this country they had but very scanty means of knowing the real state of the case, or the state of the crops, from year to year; but, though scanty, they had the means sufficiently accurate to afford an indication sufficiently close for the purposes which induced him to lay the matter before the House. He begged to call attention to the returns in the *Gazette*, from the 256 towns from which the average price was calculated, to show the deficiency of the harvest of 1848. He would draw the attention of the House to certain returns which he had obtained. The first was a return of the quantities of wheat sold in the 256 towns from which the averages were compiled, from the 1st of October to the 30th of September in each of the following years—In 1845-1846 it was 5,929,788 quarters; in 1846-1847 it was 4,995,518 quarters; 1847-1848, 5,450,631 quarters; 1848-1849, 4,298,901 quarters—thus showing a very great deficiency in the amount of wheat sold in 1848. Now, the quantity of wheat sold at these 256 towns was supposed to represent one-fourth of the quantity consumed in the united kingdom. Comparing the average yield with that of 1848, he found in the latter year a deficiency of 4,638,000 quarters; and, taking the price at 45*s.* a quarter, the deficiency was represented by a sum of 10,000,000*l.* But the crop was not only deficient in quantity but in quality, and, taking both together, there was a loss equal to the sum of 15,000,000*l.* It was also found that in those parts of the country where the deficiency was greatest, the agricultural distress was found to be most aggravated. The average deficiency for the whole country was 20 per cent. It was, in Bedfordshire, 28 per cent; Cambridgeshire, 30 per cent; Suffolk, 25 per cent; Worcestershire, 33 per cent; Somersetshire, 25 per cent; Wiltshire, 22 per cent; Berkshire, 26 per cent; Devonshire, 40 per cent; Sussex, 45 per cent. Now, a large amount of foreign corn had been imported, but no one could say that there had been a single quarter of wheat too much. He asked where were the stocks of grain that now affected the prices? Either all the grain grown in this country, and the immense quantity imported, had been consumed, or there must be an enormous quantity on hand. But, when the matter was looked into, nobody could say there had been, or was, too much wheat in the country. Out of the quantity imported there had gone into actual consumption, according to the returns of the Board of Trade, no less an amount than 5,634,000 quarters, leaving only 100,000 quarters that might be damaged out of the enormous foreign supply of last year. There was not a single quarter of wheat too much for the consumption of the country; and if it was said there was, where, he asked, was the stock? There was no unusual stock in hand at the present time; and did any hon. Gentleman consider there had been too much wheat for the consumption of the country in the past year? The hon. Gentleman the Member for Dorsetshire stated he had no objection to a large importation of wheat, but said they were replacing home-grown wheat with foreign wheat. Now he denied the proposition that home-grown wheat had been displaced by foreign. He had obtained a return of the countries from which wheat was last year imported, and the quantity from each, in order to see whether the importation had taken place under circumstances that were likely to be permanent. The House would be surprised to hear that last year the highest importation was from France, a country which, only two years ago, had to rake the world for corn for itself. Another country was the United States, from which we had received 700,000 quarters of wheat, though a great deal of it was on speculation, previous to the opening of the ports on the 1st of February, 1849, and we had received little from America during the last two months. He found that the sales of their home-grown wheat coincident with the supply of foreign wheat, since the last harvest, was larger than in the previous year. It amounted to 2,000,000 this year, against 1,700,000 last year, and 2,000,000 the year before. He next would call the attention to the countries from which any large supply of foreign wheat was received in 1849. They had received:—

	Quarters.
France	742,023
Prussia	618,734
United States	617,131
Russia	600,375
Hanse Towns, Rostock, and adjacent ports	498,983
Belgium	366,098
Holland	308,482

He would now, from authentic sources, ascertain the average prices in those countries during the last ten years, that they might come to something like a fair and dispassionate judgment with respect to the price at the present moment. With regard to the United States, he had not been able to get a return of the average prices for a number of years on which he could place reliance. All he could say with respect to the United States was, that the price in the United States was above the price in this country. The following was a return of the wheat and flour imported from the United States:—

	Quarters.
1849	617,131
1848	296,101
1847	1,834,142
1846	808,178
1845	92,622

Wheat, flour, &c., shipped from the United States to Great Britain and Ireland, from September 1st to the last dates:—

	1849–50.	1848–49.
Flour, bbls.	227,349 ...	639,994
Wheat, bush.	406,296 ...	854,005
Indian corn, bush. ...	893,264 ...	5,071,713

The prices in this country at present were not likely to encourage a large importation, and never would do so except when the prices were at a high rate. He thought they need not alarm themselves about any great increase in the importation of corn from the United States; for the fact was, that the market of the United States was a better market than could be found in this country. That country was increasing in population so rapidly, that there would be always a great demand within itself for wheat. The next country to which he would call attention was France, from whence they had received no less than 742,000 quarters. From its proximity to this country there was no doubt, provided its cultivation and character were such as to induce them to expect a continuation of this importation, it was the country of which they should be more afraid than any other; but he would call the attention of the House to the exceptional character of that importation:—

WHEAT AND FLOUR IMPORTED FROM FRANCE.

	Quarters.
1849	742,023
1848	320,010
1847	179,259
1846	73,774
1845	35,809

He held in his hand an extremely interesting document, for which he was indebted to M. Dumas, the Minister of Agriculture in France. It contained the average price of wheat for ten years; and it appeared from it that the average for that period was 51*s.* 2*d.* a quarter. The following was the document to which he referred:—

	Per hectolitre.	Per quarter. *s.*	*d.*
1838	19f. 51c.	46	9
1839	22f. 14c.	53	0
1840	21f. 84c.	51	6
1841	18f. 54c.	43	6
1842	19f. 55c.	46	9
1843	20f. 46c.	49	5
1844	19f. 75c.	47	3
1845	19f. 75c.	47	3
1846	24f. 05c.	57	6
1847	29f. 01c.	69	7
	Average	51	2
1848	16f. 65c.	39	9
1849	14f. 15c.	33	9

He again asked, after laying before the House the contents of that document, was he not entitled to say they lived under exceptional circumstances? Any person acquainted with the French commerce must know that France did not usually sustain its own population, and that it was an importing, and not an exporting country. He would next call attention to the following return, showing the quantity of wheat and flour imported from Belgium:—

	Quarters.
1849	366,098
1848	178,399
1847	27,469
1846	3,063
1845	383

It was notorious that Belgium was an importing country, and not an exporting country; and he could not give evidence more conclusive of the fact, than by referring to what the Belgian Chamber of Deputies is now doing. Having found the sliding scale in operation in that country inconvenient, the Government came forward and proposed the total and entire abrogation of their corn law; they proposed the abolition of the sliding scale, and the imposition of a small duty of one franc per hectolitre, for the purpose of registration. A law to that effect had been introduced by the Government, and it was quite certain it would be accepted by the Chamber. As the right hon. Gentleman the Member for the University of Oxford felt alarmed by the large importation from Belgium, he (Mr. Wilson) could not help calling the attention of the House to the state of agriculture in that country; but he would not say one word that was derogatory to the people of that country, than whom a more industrious people did not exist. In one of the most important and densely peopled districts in the country—the district of Malines—the average size of farms was three acres; and out of 13,000 held on lease 7,000 were holdings under two acres. It was idle to talk then of the difficulty of the English farmer with a large capital competing with those men. He now begged to call attention to the average prices of wheat in Belgium for the last ten years. The average price for the whole ten years was 52*s.* 2*d.*; the average price for the last three months was 38*s.* 3*d.* Again, he would say he was entitled to declare that they were existing under exceptional circumstances. With regard to Holland, it was unnecessary to dwell upon that country, for it was not a wheat-growing country. The following was the amount of importation during the last year:—

WHEAT AND FLOUR IMPORTED FROM HOLLAND.

	Qrs.
1849	308,482
1848	163,978
1847	11,800
1846	473
1845	1,614

A great deal of that must be reimportations from other places; but hon. Gentlemen need not be very fearful of competition when the average price of wheat in Amsterdam during the last ten years was 45*s.* 4*d.* The following was a return of the wheat and flour imported from Hanseatic Towns, and Mecklenburg, Hamburg, Lubeck, and Rostock:—

	Qrs.
1849	498,983
1848	532,550
1847	154,839
1846	126,573
1845	154,271

The average price of wheat at Hamburg

was, from 1839 to 1848, 49*s.* 9*d.*; in 1849, 37*s.* He had received a return from the Minister of the Interior at Berlin, which afforded information that he believed to be almost new in this country. It contained the average prices of wheat for a series of ten years, from 1839 to 1848, in each of the Prussian provinces:—

	Per scheffell in silver groschan.		Per qr. *s.*	*d.*
Prussia Proper	69	10	36	0
Posen	67	8	35	7
Pomerania	71	6	36	11
Silesia	66	3	34	3
Saxony	69	1	36	0
Westphalia	80	1	38	9
Rhenish Provinces	86	2	44	5

Average of all 37*s.* 7*d.*

They had heard a great deal of late of the extremely low prices at which the Prussians could send their corn into this country, but for the last ten years the average price at Dantzic was 49*s.* 6*d.* He had taken the trouble, on the preceding day, to consult a corn merchant in very extensive business, who could give him exactly the charges for bringing wheat from Dantzic to this country. Those charges, including a freight of 4*s.*, amounted to a charge of 11*s.* 3*d.* a quarter; but that was on the supposition that the cargo was sold on its arrival without the expense of warehousing or the intervention of a factor. The smallest sum they could add to that charge of 11*s.* 3*d.* for bringing the corn from the provinces to the port, was 5*s.* 9*d.*, making a total charge of 17*s.* per quarter. If they added that to the average price of 37*s.* 7*d.*, it would require a price of no less than 54*s.* 7*d.* to repay the grower for sending his corn to this country in preference to selling it on the spot. They would find in the revenue returns that the average amount of duty paid upon all the wheat imported under the operation of the corn laws, since 1842, amounting to many millions of quarters, was 11*s.* per quarter, which would have given to the importer a net average price of 41*s.* per quarter, a large proportion of which would not have been remunerating at that price. He would next call the attention of the House to the state of the corn trade in the Black Sea, and the Sea of Azoff—the corn shipped from the ports in this part of Europe being the produce of very extensive tracts of country. The present price of wheat at Odessa was 33*s.* per quarter; but the demand for the Mediterranean was so great as to render any large supply to this country highly improbable. Now he might probably be asked to assign some reason for this exceptional state of things. He would first state that the extremely high prices of 1847 no doubt led to a very extensive cultivation in different parts of the Continent, which materially affected the prices of this country in subsequent years. A second cause might be found in the circumstance that they never had had a season of high prices which had not been succeeded by a period of low prices; these periods of low prices being again succeeded by seasons of corresponding high prices. He might also refer to the continental disturbances of 1848, which had disturbed the whole fabric of commerce. When in Germany about two years since, he found that every farmer was unwilling to keep any stock of wheat by him, not knowing how soon disturbances might take place or even break out in that country—when their grain and other provisions would be seized by the authorities, or by those who acted against them. Referring to a third cause, and that a more important one, he might speak of the agitation which had taken place in this country during the last six months. If ever there was a circumstance in this world calculated to depress the market, or if ever a set of men acted against their own interest, it was to be found in the conduct of those men who, during the last six months had been holding language to the farmers which had induced them to exaggerate all the evils by which they were surrounded; and, in his opinion, the conduct those men had been pursuing had more to do with the present low prices than any other circumstance whatever. The hon. Member for Buckinghamshire had proposed to establish, for the benefit of the farmers, a sinking fund. Why, there had been large funds in the Bank of England for the last six months, and in the hands of capitalists; but no man would dare to venture a single shilling of that unemployed capital, even in legitimate dealings, in the article of wheat, simply because confidence had been destroyed in the corn trade. No capitalist would purchase grain while such language was being addressed to the farmers of England; the capitalist would not invest it in an article the price of which was so fluctuating and uncertain. There were, therefore, a great number of exceptional circumstances sufficient to account for the great disturbance in the price of wheat. But if he were asked, whether he believed the present low prices would be permanent, his reply would be, that he entertained no such belief. His chief anxiety was on account of a sudden reaction from these extremely low prices to correspondingly high prices. No Gentleman could wish to see the prices of 1847 return. It was only two years ago that Rouen and Paris were supplied with wheat from Norfolk, and that we were shipping wheat from this country to the Rhenish provinces. It was not, therefore, too much to say that he entertained feelings of anxiety with regard to a reaction, as no one could foretell what a single bad harvest might produce. He would venture to say, that if they were to examine all the ports of Europe from Odessa round to Dantzic, they would find the stock of wheat to be smaller at this moment than it had been for a number of years past. If confidence could only be restored to this country — if the people could be induced to believe that these low prices were not to be continued for ever— the millers and dealers in grain would then take their usual stock, and it would be soon found that that large imaginary supply which Gentlemen apprehended to exist would disappear, and the usual remunerating prices would again prevail. He entertained no fear from foreign competition. After taking a careful survey of the whole of Europe, he believed there was no agriculturist at this moment possessing such advantages as the English farmer possessed, or who was placed in so favourable a position as well in regard to the proximity of markets as to various other advantages under which he lived. He admitted the injustice of accusing the farmers of England of ignorance or want of energy; on the contrary, they had done great things by extending and improving the cultivation of the soil of this country. When he saw what had been done in Scotland, and that even Salisbury Plain had been brought into cultivation almost like a garden, he did not fear the English farmer being brought into competition with the Russian serf, with all the disadvantages which the latter laboured under from an extensive land carriage to the sea coast, and then the distant voyage to an English port.

Mr. BUCK thought that the fact of agricultural distress was almost too manifest to require any elaborate exertions to prove its existence. Landlords had reduced their establishments; farmers had in numbers of cases reduced the wages of their labourers and the amount of employment; and he might venture to state, that in almost every town in the agricultural districts, they would find the shopkeepers complaining of the state of trade. There was also, in addition to these circumstances, the fact that crime within the last three years had increased to not less than 60 per cent. It was under this state of things that his constituents had convened a large county meeting to address Her Majesty on the subject of their distress, and to apprise Her of the storm which was gathering round, and that something must be done in order to prevent the peace, tranquillity, and happiness of the country from being disturbed. The speech of the hon. Gentleman who had just sat down had, in his opinion, as little to do with the subject before the House as any other question. If the hon. Gentleman had had the question of the corn laws to discuss, no doubt it would have been perfectly applicable. A course more unsatisfactory or more insulting to the agricultural interest of this country than that pursued by the Government on this occasion, could not have been taken by them. He had listened to all, connected with the Government, who had spoken on the present subject; he had heard them acknowledge the existence of the distress, but they proposed no measure of redress, and he believed that, concurring in the expression of an hon. Member, they believed that they had nothing to do with the producer, the consumer being the only party that they had to deal with or to care for. At the present moment protection was not the object which was sought; the agricultural interest came to the House for justice, and they might depend upon it that the farmers of England would never be content until they were released from those burdens which peculiarly affected their industry. When the right hon. Baronet the Member for Tamworth brought forward his plan on the subject of the corn laws, he acknowledged that there were burdens which peculiarly attached to the soil. Upon this subject discontent prevailed from one part of the country to the other; and they might depend upon it that there was not a single argument which he had heard from the Government in the House that would remove that discontent. The right hon. Baronets the Members for Northumberland and Ripon, had referred to those parts of the country with which they were connected as being in a state of the greatest prosperity. He hoped that the statements which these right hon. Baronets had made were correct. The agricultural interest were told that they had no occasion for alarm, but if they looked to other interests they might see the effects which had been produced by these free-trade measures. It was enough for them to turn their eyes either to the West Indian colonies or to the needlewomen of London. What was the case with the West Indian colonies? After this country had expended 20,000,000*l.* for one of the most benevolent of purposes, they were ruined by being placed in competition with slave-grown sugar. The same thing had now taken place with regard to the agricultural interest, which was placed in competition with the serfs of Russia and other countries. With respect to the United States, he confessed he did not feel much alarmed at the prospect of competition with that country; he considered that as nothing, compared with those other countries to which he had just referred, and he would not go to blue books for information upon the subject, as the hon. Member for Westbury had just done. In the case of the needlewomen of London the same effects of free-trade were also apparent. The Government and others came forward with their subscriptions to banish these poor creatures to some foreign country, where they were to pass the remainder of their days, or they were to be left to die in the district workhouses of the country. Many of those who were opposed to a system of banishment had been denounced as "idiots," because they would not subscribe 6*l.* to remove some of the surplus labourers out of the country. He did not believe that they had a single labourer too many in the country. That was his firm conviction. They had increased emigration from 25,000 to 250,000, and if the Government would only give the agriculturists the encouragement, they would find enough work to employ the whole labouring classes of the country. What a difference did the conduct of this Government present when compared with that of the President of the United States. It was there stated that they would give encouragement to their people; that they would tread in the steps in which England trod when she was great, and stood above all the other nations of the world. They believed and acted upon that best of all maxims of a wise Government, that of giving the means of subsistence and employment to its own people. The Government of the United States said they would not only give protection to the cotton grower, but to the manufacturer of cotton; they said they would not be satisfied with growing cotton and sending it to England to be manufactured, for by so doing they would distress one branch of the industry of their country. But they had been told that the landlords ought to expend more capital in the improvement of their land, by buildings and other means. But would the Government give the landlord anything like security before they called upon him to lay out his capital? Would they give him some assurance that wheat should not, even by the end of 1850, be down to 4*s.* per bushel, for he would venture to predict that if it should please Providence to send us a bad harvest, or a productive one abroad, before Christmas 1850 wheat would be down to 4*s.* per bushel, for the farmers would be compelled to bring their produce to market and dispose of it at any price which it would realise. But Mr. Huxtable told them that they were to erect steam-engines and economise labour. This was always the advice put forward whenever competition with the foreigner was spoken of, and the interests of the labourer were always to be sacrificed. While they were compelled to keep up the price of labour, it was impossible for them to compete with the foreigner. It had been said that there had been a reduction in the amount of the poor-rates in some parts of the country. From returns which he had obtained from different parties in the district with which he was connected, he found that the amount expended in relief had increased from 5,800*l.* to 6,200*l.* during the last year, although the contracts had been reduced, and the price of the 4lb. loaf had fallen from 7*d.* to 6*d.*; and he believed that by the end of next year he would be in a very much worse position, in that respect, than they were at present. He trusted that the farmers of England, who would be affected by this measure, would unite from one part of the country to another; and if they were only firm and united in their purpose, he would venture to say that in a few years they would once more see agriculture revived, and trade and commerce and manufactures prosper together, as they had done before; but if they were driven, as they would be by the rejection of this measure, to reduce still further the price of labour and the amount of employment, when they knew that influence and money were given to other objects, while there were thousands of acres which required that money, and tens of thousands of labourers at present wanting employment, they might depend upon it that by pursuing that course they would disturb the peace, and he would not be very much surprised if even they were to injure the monarchy and the institutions of the country. It was to be recollected it was by the industry—and they knew it—of these persons that this country had attained the high position which she had held for so long a period over all the nations of the world; and he ventured to predict that if they put an extinguisher upon that industry, this country would fall.

Mr. G. BERKELEY said, it seemed almost presumption in him to differ from what had been advanced by the right hon. Baronet the Member for Ripon; but, representing as he did a large county, and being also thoroughly acquainted with tenant-farmers in several counties, he must do them justice as far as he could, though under such grievous disadvantages. The right hon. Gentleman said, if he (Mr. Berkeley) understood him correctly, that no great reduction, or in fact no reduction in wages, had taken place among the agricultural labourers of this country. [Sir J. Graham: No, no!] Well, then, of Cumberland. But the effects of free trade were not fully complete, and, taking the three counties of Glocestershire, Wiltshire, and Hampshire, with the agriculturists and tenant-farmers in which he was in constant communication, he must say that he knew the tenant-farmers were reluctant to discharge their labourers, whom perhaps they had employed for a number of years. They were pausing before they took that harsh step. It was not fair, then, to judge, under the present circumstances, of the full effects of free trade. What had the tenant-farmers done? In many instances in his own knowledge they had assembled their labourers, and said to them that times were so hard, and they were driven into such straits, that they must either discharge one-half of them, or keep on all at reduced wages; and, to the credit of the labourers be it said, they said in a body, "Keep us all; we are willing to work at reduced wages." The right hon. Gentleman also said that, in the long run, he thought free trade would turn out advantageous; but it was precisely what the tenant-farmers were anxious to find out—what was that long run? If the right hon. Gentleman had held out any hope—if they could guess at the end of their misfortunes, the farmers might, perhaps, be more contented; but they now felt themselves grievously depressed, and saw no end of it but absolute ruin. The right hon. Gentleman also alluded to the present struggle the agriculturists were making for their rights; and, if he (Mr. Berkeley) correctly understood him, he spoke of it as class agitation. But, if they were to be met by that kind of argument, was not the term more applicable to hon. Members now sitting on that (the Ministerial) side of the House? What had placed upon those seats the heads of free trade but agitation? and now, because the agriculturists came to lay their grievances before the House, they were to be told it was class agitation. But, whilst he was making these observations on agitation, he was glad to see the hon. Member for Manchester in his place. He differed from the sentiments that hon. Member had promulgated the other night. The hon. Member had also charged the agriculturists with agitation, and pointed to their grievances as imaginary; he told them what to do, and how they were to farm. If they had received that advice from a known agriculturist — a known owner of landed property—one whom they deemed capable of lecturing on agricultural subjects, they would have accepted it; but the hon. Member knew no more of his (Mr. Berkeley's) trade of farming, than he (Mr. Berkeley) knew of the manufacture of cotton. He dared say the hon. Member was not even aware of the term "broadcast" in husbandry, or of the use of the drill; broadcast in argument, and waste of words, the hon. Member often dealt in, and he well knew how to drill the people to clamour for a favourite measure. He would give to the hon. Member and the whole Manchester school all the dirt they were so fond of recommending to the agriculturists, and would answer for it that none of them could raise a field of corn, or knew enough of agriculture to grow even a field of cotton. Some hon. Gentlemen recommended the farmers to manure the land, and then go to sleep. He wished them to do anything but go to sleep. He would just put the House in possession of the state of the Cotswold-hills. The soil there was so shallow, being based on a rock, that after it was manured and brought to the highest state of cultivation, when the crop was taken off, and the plough went over the land again, it broke up so much of the rock that the farmers were obliged to employ the country people to collect the stones in baskets before the second crop was put in; so shallow was the surface-soil, the subsoil being a rock, they could in many places only manure for one crop, and even then, in dry seasons, manure however much, scarce an additional blade of corn could be added to production; yet they were told that on such land as that they could meet and compete with the foreigner at present prices; they knew that if those prices were maintained, the whole of the Cotswold-hills would be thrown into sheepwalks, and every single soul of the agricultural population must be thrown out of work. He was not fortunate enough to see the right hon. Gentleman the Member for Wiltshire in his place; but he (Mr. Berkeley) happened to be on the spot where he heard the right hon. Gentleman had told his tenants that he would reduce their rents provided they did not reduce the wages of their labourers. That was a most dangerous position to assume, because it was thrusting a foreign power between the employed and the employer. But times got worse: prices fell; and though, as far as he could understand, the rents were reduced upon the understanding that the wages should not fall, the tenants felt themselves obliged to reduce their wages. The labourers assembled in a body, and marched with their complaints to the right hon. Gentleman. This induced among those labourers feelings of dissatisfaction towards those to whom they ought ever to have looked for encouragement and employment; and he trusted that henceforth no landed proprietor, whatever might be his opinions as to free trade, would ever follow so dangerous a precedent. He heard the hon. Gentleman the Member for Westbury say, that he had adopted Wiltshire as his county. He did not know whether the hon. Member had adopted Wiltshire, or Wiltshire had adopted him; but this he would state, that after his speech that night, he doubted much if the county would glory in the selection, let that selection have arisen with either the one or the other. The hon. Member said there was no distress amongst the agricultural population, and that the labourers were very well off. Now, he happened to know that many and many labourers with families in Wiltshire were at that moment working at 6*s*. a week. What opinion the hon. Member might have as to the wages the labourer ought to receive he could not tell; but how a man with a family of seven or eight children, and 6*s* a week, could be said to be well to do in the world, he left it to the hon. Member to show. The right hon. Gentleman the Home Secretary, if he (Mr. Berkeley) understood him correctly, said that pauperism was on the decrease. He doubted the statistics quoted by the right hon. Gentleman, and also all those they heard that evening. He did not mean to say that any one would be base enough to make figures; but, for a particular purpose, there were those who would "cook" figures. He was perfectly aware who was at the head of the statistical department under the Government—he knew the gentleman, Mr. Fonblanque, and in what way he had passed his former life—he knew that the statistics as to the West Indies did not show on their face the true state of things; and knowing that fact, he had a right to doubt the rest. But he would ask the hon. Member for Manchester one question—what was the real state of the cotton trade at that moment? Was he driving a thriving trade or not? Was there not an artificial price kept up in the great manufacturing districts by the Manchester school? He did not believe they had yet arrived at the real state of the cotton trade in Manchester. He was certain that, in this instance, and also on the Amendment to the Address, there could not be a more temperate Motion placed on the records of the House, than the one brought forward by his hon. Friend. The subject had been approached in the most temperate manner; but he must say, that from the speeches he had heard, and the sentiments that had been uttered, he did not see, under the present circumstances, one single shadow of hope for the agricultural interest. He would, however, remind the House and the country that the time would come when that interest would assume its just position—that the time would come when the agricultural interest would assert for itself that consideration which it ought always to receive. And now, he would ask of the Government what they had done for the country? They had given, as it were, to the noisy boys of the Manchester school some gingerbread to stop their mouths, but they stole the flour from the farmers to make it with. They were told that the measure before the House was not final; he granted that if the measure were carried, it would not be sufficient to meet the great and overwhelming depression, and that it might be a step only in the right course. He would ask the Government whether they thought they had stopped for any length of time the mouths of the Manchester school if they allowed them to become dominant. He would ask the Government, whether, if the time should come when the Manchester school deserted them, they would look to the agricultural classes for support; and whether they would have a right to expect it at their hands? In conclusion, he would repeat, that whatever might be the fate of the Motion that night, the time would come when the agriculturists would gain their own, and when they would once again see that great national interest in that position which it ought to have—the first in the great interests of this country.

Sir R. PEEL: Sir, whatever motives I might have for wishing to address the House upon a subject which has been brought forward with great ability, and with great moderation—whatever other motives I might have for wishing to address the House, the necessity under which I feel myself impelled to take a course different from that which will be taken by my right hon. Friend the Member for Oxford, is a sufficient reason for desiring to explain the grounds upon which that course is taken. For my right hon. Friend I have the greatest respect and admiration. I was associated with him in the preparation and conduct of those measures to the desire of maintaining which he partly attributes the conclusion at which he has arrived—from him I derived the most zealous, the most effective assistance—and it is no small consolation for me to hear from my right hon. Friend, although upon this particular Motion we arrive at different conclusions, that his confidence in the justice of those principles for which we in common contended, and which are the foundation of the commercial policy which of late years has been adopted, remains entirely unshaken. Sir, before I address myself to some remarks of my right hon. Friend, I wish to state, with respect to the agricultural interest, that I do not deny that it is suffering considerable distress, and that for that distress I feel, on every account, the warmest sympathy. [An Hon. Member on the Opposition benches: Oh, dear!] Sir, I believe the House will be of opinion that I take the most becoming course in passing without notice the inarticulate sounds with which the hon. Gentleman has interrupted me, although those inarticulate sounds are, I admit, equally powerful with any arguments which the hon. Gentleman could adduce, and at least equally entitled to consideration. I shall not be disturbed, however, by him from entering upon the discussion of this subject with the temper which befits it. Sir, I know not why the hon. Gentleman should doubt my sympathy with the agricultural interest: my own interests are intimately connected with its welfare; and if any measures to which I have been party, however confident I may be of their general policy, and of the benefits that have resulted to the country at large from them, have visited a particular and most important special and peculiar interest, as it ought to be, with distress, the greater is the sympathy which I feel for its suffering. I say this, also, Sir, that if it be true that the occupying tenants of this country are unwilling to reduce the amount of labour which they employ—if they are making exertions to prevent the distress under which they may be suffering, from visiting those on whose labour they depend—they have, on that account, an additional claim to our respectful consideration. I do not, indeed, agree (whilst I admit the distress which prevails) with the apprehensions and the despondency of others as to the future condition of the agricultural interest. I believe there are special and peculiar causes affecting that interest at present. I think it was impossible to listen to the speech which was made in this House tonight by the hon. Member for Westbury, without a strong presumption that at the present moment there are peculiar causes of depression and distress. Such causes have heretofore been in operation during the existence of protection: on frequent occasions in the Speech from the Throne, the distress of the agricultural interest has been fully acknowledged and lamented. Now, when protection is lost, some of the causes which affected the agricultural interests during its existence are in operation. As those interests recovered then, so I trust they will again recover. Those who are interested in their prosperity should beware that they do not retard the period of recovery by the propagation of undue alarm. This course has been taken on former occasions, and now is taken. I see professors of agriculture informing the agriculturists of Scotland that Indian corn can be introduced into this country from America at 12*s.* the quarter. They are telling the growers of oats that it is impossible for them to contend in the markets of their own country with the produce of the United States. They are alarming them with the assurance that Indian corn can be profitably imported at the price of 12*s.* the quarter, although, at the very time, the notorious fact is, that in the ports of Liverpool, Limerick, Cork, and Dublin, the price of Indian corn is fluctuating between 27*s.* and 31*s.* the quarter.

I was not present at the early part of this debate, during the speech of the hon. Gentleman the Member for North Northamptonshire. I am told that in that speech he made a personal appeal to me, and asked me on what grounds I thought there was an undue depression in the price of agricultural produce at present. Sir, I will tell him. It is because I find, in many continental countries—in countries which have the advantage (if advantage it be) of protection — I find in them the same depression of prices, and the same complaints which exist here. I find that depression of price to exist, notwithstanding that the markets of England have been opened to them — notwithstanding that there has been a new and unusual demand for their agricultural produce. In France and in Belgium, our nearest neighbours (each of which countries has had, until a very late period, laws giving full protection to native produce), their agricultural productions are unusually depressed in price, and the occupying tenants are complaining that it is impossible to cultivate the land at the present prices. I say, then, there appears to be pervading many countries of Europe the same depression of prices of which we complain in this country. Whether or no it be attributable to precisely the same causes which have operated here—whether the same partial famine which we have had during the last three or four years, may have stimulated production, and the prices of foreign corn may have been depressed by an unusually productive harvest following several years of scarcity — I will not undertake to say. But the fact remains unquestionable, that in many countries of Europe there are the same complaints of lowness of price and depression that we have here. Sir, since I came into this House to-night, a Gentleman was good enough to place in my hands two documents. One is a circular from Antwerp, dated the 9th of February, 1850, which speaks of the state and prospects of agriculture in that part of the Continent. Observe, so recently as the 9th of the present month, it is said in this circular—

> "At our to-day's market the trade generally ruled dull, and the turn in prices was in favour of the buyers, though we do not expect an important decline, the value of the corn being already too depressed to pay the rents of our farmers."

The other document is a paper of a similar description, bearing the same date as the former, and issued at Nantes. This circular states—

> "Prices of corn are for the present very low everywhere in Europe; but, taking into consideration the good quality of some produces of our growth, and of our best brands of flour, combined with the low freight obtainable now, we consider that our market deserves the attention of every one willing to risk interest of money at a low rate against the chances of a rise, whilst a further decline is quite improbable, as needy sellers have everywhere disposed of their crops, and also noticing that the continuance of the present prices in this part of France would soon involve the ruin of the landed interest."

Here, then, Sir, are two countries which have had, not only the new advantage of free importation into the English market, but also protection to native produce; and yet in these two countries agricultural produce is so depressed, that it is said ruin to the farmers is inevitable. From thence I conclude that causes other than the removal of protection have contributed to our own distress; and that probably there is some cause general in its operation which has produced the depression of prices complained of throughout a great part of Europe.

Another ground on which I view with less despondency than others the condition and prospects of agriculture in this country, is this, that I witness with the greatest satisfaction the increasing consumption of this country. It is not in the tendency to increased consumption only that I see indications of general prosperity; but the importation of corn in the course of the last year was in addition to an unusual consumption of native produce. The people of this country have not only imported, but they have consumed and paid for, by the produce of their own labour, no less than 5,600,000 quarters of wheat, that consumption of foreign corn not diminishing the consumption of wheat of our own growth. In 1849, as compared with 1848, there has been an increase in the consumption of British wheat, and concurrently with the increase in the consumption of British wheat there has been the enormous consumption of 5,600,000 quarters—not, observe, of Indian corn, not of oats, not of rye, but of the noblest grain, namely, of wheat. By whom has that wheat been consumed? When we are asking for proofs of the improved condition of the country, why should we minutely enter into these details? Why not rely on the one conclusive proof supplied by the fact that 5,600,000 quarters of foreign wheat have been imported, paid for, and consumed. By whom? Not by the upper classes. I will venture to say, that the quantity of bread eaten by the aristocracy has very little increased—that the quantity consumed by their households and domestics has very little increased amongst the more affluent of the middle classes. Probably amongst the middle classes, amongst those living on moderate incomes, in times of prosperity their consumption of luxuries may be increased; but the consumption of bread—the great element of human life—is not increased in any great degree. No, Sir, this consumption of foreign wheat has taken place in consequence of the improved condition of those who live by labour. You will not have millions of quarters of wheat consumed, except that millions of mouths can be found to eat them. And I want no better indication of general prosperity—I except, of course, the agriculturists, whose distress I admit—but I want no better proof of the general prosperity, of the general ease and the general comfort, than the fact that there has been an increase in the consumption of bread, and bread of the best quality, perfectly unparalleled. Well, Sir, if we can only continue that consumption—if by our legislation, under the favour of Divine Providence, we can continue the demand for labour, and make our trade and manufactures prosperous, we shall not only be increasing the sum of human comfort and happiness, but we shall be giving to the agriculturists of this country the best assurance, by increased demand, of ultimate prosperity. Consider the daily demand for agricultural produce, in the time of manufacturing prosperity, in such places as Glasgow, Liverpool, Manchester, Birmingham, and the great mining districts. When we speak of agricultural produce, the term is not limited to corn; it includes meat, milk, cheese, and butter. If you take into the account the daily increasing facilities of transport, and the advantage of the vicinity of markets, surely the agriculturists of this country need not fear competition with those of any other.

Sir, when I gave my consent to the Address in answer to the Speech from the Throne, I had no impression that it was intended to slight the distress of the agriculturists. The words used, indeed, were that there were complaints; but I understood that there was an admission of distress, and a sincere feeling of regret for its existence. If that had not been the construction I placed upon the Address—if I thought there was any intention of slight—any intention to imply that the complaints of distress were unfounded or unworthy of notice, the answer to the Speech from the Throne should never have had my support. I will now apply myself to the speech of my right hon. Friend the Member for the University of Oxford, and will proceed to state the grounds on which I come to a conclusion different from his. My right hon. Friend takes the specific terms of the Motion made by the hon. Gentleman the Member for Buckinghamshire, and contends that he is perfectly at liberty to dismiss all the extraneous considerations connected with it, and to consider only the abstract proposals which are contained in the Motion. Now, there I differ from my right hon. Friend. It is all very well to say to a very young Member of this House, "I make a proposal for the House to resolve itself into Committee, in which the whole question will be open for consideration. Go into Committee; you will be pledged to nothing; hear my proposal; reject what is objectionable, and modify what is capable of modification. Do this, and you will conscientiously discharge your duty; and, even should you agree to no part of my proposal, you will at least have the merit of showing your sympathy for the farmer." But, Sir, I say that that is not the construction which the tenant-farmers will place upon the Motion of the hon. Gentleman. He will have (if his Motion be agreed to) excited the hopes of the agriculturists. The hon. Gentleman is not chargeable with any attempt at deception; but let others well consider the circumstances under which we are discussing this question. A proposal was made for an Amendment to the Address—some contended that by that Amendment the issue intended to be joined was, whether protection to agriculture should be re-enacted, or not. ["No, no!"] Some certainly considered that that was the question at issue. The hon. Member for North Northamptonshire said to-night that he thought that that issue was fairly raised upon the Amendment to the Address—that the Lords and Commons had decided against protection—and that he would not ask his friends to occupy the House with needless debates which would result in nothing. That, in short, he considers the question of protection decided. ["No, no!"] I do not mean decided permanently and for ever; but if the hon. Member who cries "No, no," had heard the speech of his hon. Friend the Member for North Northamptonshire, as I heard it, he would have heard him say that he considered the question decided, so far as the present Parliament was concerned. Well, Sir, after that decision, a Motion is made for the purpose of giving to the agricultural interests the compensation to which they are said to be entitled for the wrong done to them by the removal of protection. The hon. Gentleman the Member for Buckinghamshire contended last year, and still contends, that the burdens unjustly thrown upon the landowners exclusively are not less than 12,000,000*l.* a year; that they are subjected by general and local taxation, including the land tax, to an amount of annual taxation from which they are entitled to relief of not less than 14,000,000*l.* This Session he says—"I won't go into the general and extended question at the present time; I propose now only the partial removal of taxation from the agricultural interest to the amount of 2,000,000*l.* only. But don't be deceived, this is only the first of a series of measures. Others will follow, adopting the same principles." Even after those the question is still open, for although this proposal is brought forward as a compensation for protection, at any rate as a measure rendered the more necessary and just by its removal, the hon. Gentleman gives us no assurance that after we have granted this demand he will not avail himself of the earliest opportunity of reviving that system of protection which he contends it is the true policy of this country to adopt. This removal of two millions of taxation from the agricultural interest—this transfer of that amount from them to other payers of taxes —is accompanied by a distinct notice that this is not a measure closing the account—not a measure with which the agricultural interest ought to be satisfied—that it is but a small and partial instalment of a great debt—and that if it be acquiesced in by us, the claim for the remainder will be prosecuted. And therefore, Sir, my right hon. Friend the Member for the University of Oxford cannot say that he is deceived by the Motion of the hon. Gentleman. He cannot disregard extraneous considerations, and limit himself to the simple abstract proposal. It is a proposal involving a principle. If he votes for this proposition for the purpose of giving satisfaction to the agricultural interest, and then refuses to follow up the series of similar measures, the end which he has in view he will not gain. There will be no satisfaction with a mere partial admission of one portion of a great claim, the rest of which is to be contested. But what is this claim? and will the satisfaction of it be for the benefit of the class whose interests the hon. Gentleman the Member for Buckinghamshire advocates? Let us first consider it in the point of view in which my right hon. Friend wishes to consider it, as a definite proposal, transferring 2,000,000*l.* of taxes, now borne by real property, to the Consolidated Fund—ending there—entailing no other consequences. I wish to consider the proposal in its bearing on the finances of the country. The proposal, then, now made is this—that previously to any exposition of the financial condition of the country by the Chancellor of the Exchequer, we shall, by a vote of this House, determine that new charges to the amount of 2,000,000*l.* be placed upon the Consolidated Fund. Now, let us consider the effect of such a measure upon the financial prospects of the country. Let us consider—that which I am willing to consider, I trust, in no unfair spirit—whether the course which we are invited to take be really for the benefit of that class for whose alleged advantage it is proposed. I am asked, then, to consent to the first of a series of measures which proposes at once to appropriate the whole of the assumed surplus of the present year. If followed up, it will appropriate the whole of the surplus which may progressively accrue for several years to come. Because, mind, on the ground on which the hon. Gentleman this year urges the exemption of real property from certain charges, he will, in future years, claim its exemption from others of a similar nature. This, however, by the way. In the present year, by the present Motion, previous to the production of the budget, previous to the receipt of any authentic information as to the finances of the country, I am invited to consent to the appropriation of the whole of the surplus revenue, by establishing a new annual charge of 2,000,000*l.* on the Consolidated Fund. Now, is such a course desirable, even in behoof of that interest now labouring under depression? I have always understood—I heard it from the hon. Gentleman himself—that one great source of relief to the agricultural interest, is the scrupulous maintenance of public credit, and the consequent reduction of the rate of interest, thus giving increased power to owners of land to relieve themselves from charges to which they are now liable. And although I differed from the hon. Gentleman as to the mode by which he proposed to make capital cheap, still I thought that there was great force in his observation, that if you can maintain public credit, and thereby diminish the rate of interest, you are conferring benefit upon landed proprietors, and enabling them to relieve themselves from a portion of the difficulties under which they are labouring. What says my hon. Friend the Member for West Surrey? He tells us that we ought to have settled the mortgage question before repealing the corn laws. Is my hon. Friend about to settle the mortgage question by destroying the surplus? My hon. Friend says — "the land labours under heavy mortgages"— mortgages, remember, all contracted under protection. [*Loud Ministerial cheering.*] Ay, contracted under protection. What a picture of the state of landed property did my hon. Friend draw! Estates overburdened with debt, estates of which the owners cannot keep possession, estates which must be sold. When, I ask again, did these incumbrances arise? Can there be a stronger presumption against the advantages of protection if my hon. Friend's account of the state of landed property be a true one? Admitting it to be true— admitting that many landlords are now paying for borrowed money at the rate of 4½ or 5 per cent—my hon. Friend thinks that before we repealed the corn laws, we should have enabled the landowner, by borrowing money at 3 per cent, to pay off the mortgages bearing interest at 5 per cent. Does my hon. Friend really think that the way to do this is to tell the fundholders that all the present year's surplus is to be appropriated, and that any surplus arising in future years will also be appropriated by relieving local taxation at the expense of the Consolidated Fund? I regretted to hear my hon. Friend the Member for West Surrey the other night speaking so lightly of the maintenance of public credit. Let me tell my hon. Friend that in any measures which shall destroy confidence in the public faith and in the maintenance of public credit, he will have but a short-lived triumph over the public creditor. The moment that he strikes a successful blow at that public creditor, he will strike one still more fatal to the landowner whose interest he professes to advocate. Looking, then, at the bearings of the present proposal on the general financial condition of the country, looking at its special bearing on the landed interest, I should consider its acceptance as the most precipitate, the most unwise act which a legislative assembly ever committed. If without giving to the responsible Minister an opportunity of explaining his views on the financial position and prospects of the country, we should consent to appropriate the whole of this year's surplus revenue, and imply, by just inference, the appropriation of the surplus of future years, I repeat, Sir, we should take a course the most unwise, the most improvident which ever was taken by any Legislature. But my right hon. Friend the Member for the University of Oxford says, "Oh, but there ought to be a revision of taxation." Now, I cannot conceive any two questions more important than these: first, having a surplus, will you maintain it intact for the purpose of inspiring such confidence in the public credit that the funds may rise, and the landed interest be thereby benefited? Secondly, in case you should decide against the maintenance of a surplus, how shall that surplus be applied in the remission of taxation with the greatest possible advantage to all interests, but, under present circumstances, especially to the agricultural interest? But by his vote to-night my right hon. Friend will preclude us from considering either of these questions. He will consent to appropriate at once the whole surplus, by relieving one class at the expense of another. My right hon. Friend says that he hopes to see the timber duty reduced, and the duty on bricks removed. How can he hope to see either the one or the other? How is it possible to make this revision of taxation —how is it possible to remove many taxes unduly bearing on the agricultural interest—if you choose to apply the whole surplus revenue by transferring charges borne by real property to the Consolidated Fund? Who can deny that there are considerations of the utmost importance connected with the revision of the duties I have mentioned. Take the duty on bricks. I must say to the agricultural interest, that if, by their assent to this Motion, they preclude the Chancellor of the Exchequer from considering whether or no the brick duty shall be removed, they will be taking a course most injurious to their own interests. See how unfairly in different parts of the country this duty operates. Here, perhaps, is one county abounding in coal and stone— the latter advantageous for the construction of houses for all classes. There is another county without coal, with no command of stone, obliged to depend entirely upon bricks as the material for building. How heavily does this duty fall on a county so circumstanced, and especially on the landlord who has cottages and farmhouses and farm-offices to build and keep in repair! Excuse me for saying that if you could get the duty upon bricks removed at a loss to the revenue of 400,000*l.* or 500,000*l.*, you would be gaining a greater benefit for real property than you could hope for by carrying the proposal now before us. You wish to relieve real property. Well, all real property will be benefited by the removal of the duty on bricks. Take the sanitary condition of towns—a subject now occupying so much attention. Can you conceive anything of greater importance—anything affording greater facilities for the necessary local improvements in most districts—than a free command of the material essential to the construction of houses. The advantages to agriculture of enabling landlords to improve the farm buildings of occupying tenants has been often adverted to. The construction and improvement of farm buildings for the preservation of farm implements and for the extended feeding of cattle, are daily becoming objects of increasing importance. Such objects are now obstructed and counteracted by the duty upon bricks. The pecuniary amount of the duty does not measure the extent of the obstruction. What is the consequence of the removal of excise duties? You have not only the advantage of the pecuniary burden taken off, but there is the abolition of an inquisitive excise meddling with the application of skill, and the operations of labour. The bricks must be made of a certain size; so many inches long, so many broad, and so forth. There is the constant apprehension of prosecution for fraud; there is a constant impediment to the exercise of ingenuity and skill. Relieve us then of this brick duty: let men be permitted to mould clay into bricks of any dimensions they please. Will not you, the owners of real property, derive an immediate advantage from such a removal of a pecuniary burden, and such a stimulus to architectural ingenuity? I would have hon. Members read the papers lately laid on the table of the House, on a question of vital importance to the social condition of this country—I mean the operation of the law of settlement. The consideration of that question will be forced on us. It would be premature to enter into it now, but read the able papers on the practical operation of the law of settlement, drawn up by the gentlemen employed for the special purpose, and you will understand the difficulties which arise at present in certain districts from the want of cottage accommodations. You will then be able to judge of the consequences of that want, of its effect upon the health and comfort of the labouring poor. You will find it stated that in some instances the labourers come to the farm on which they are employed mounted on donkeys, on account of the distance of their residences from the place of their labour. Sir, these things ought not to be beneath our consideration. If it is in proof that on a certain farm, the name of which is given, there are not less than twenty donkeys employed to carry the people to their work. [*Laughter, and cries of* "Hear, hear!"] Sir, this is no fit subject for merriment at present. It is a subject suggesting topics for very serious consideration. It is fully shown in the reports to which I refer, that there are many labouring men whose strength is exhausted by the length of the distance which they have to come to their work. There are others forced into adjacent villages, where they pay 4*l.* or 5*l.* for the small and imperfect houses which they occupy. The remedy for these evils is to promote the construction of comfortable and convenient cottages by the removal of the brick duties, and to alter the law of settlement, so that there may be no legal discouragement to the providing of these comfortable habitations. If you admit that these are matters of importance—if you admit that they form part of a series of important considerations bearing on the social position of the labourer, do not preclude yourselves from entering upon the discussion of them by hasty resolutions which preclude the wise revision of taxation. In the present state of the public revenue, before I give any opinion on the extent to which the revision of taxation may be carried, or on the policy of any remissions whatever, I shall wait until I hear the statement of the Chancellor of the Exchequer. For, Sir, observe, the present is a peculiar period. Next year will necessarily come before us the question of the income tax. It may be of the greatest importance that we should reserve for unfettered deliberation the question whether that tax should be continued ,and, if continued, what modifications may be made in it. By affirming the proposal now before you, you will compel the continuance of the income tax. ["No, no!"] I say, emphatically, yes; unless, indeed, by voting away the surplus this year, and discontinuing the income tax next year, you contemplate the revival of the import duties upon food. I advise my right hon. Friend the Member for the University of Oxford well to consider that point. If we resolve to appropriate the surplus of the present year, and to establish a principle which implies a similar appropriation—the surplus of future years, and if at the same time the income tax is to be discontinued—then it is manifest what are your intentions. It is manifest that, convinced by the arguments of the hon. Member for West Surrey, you mean to enact that upon every article, without exception, imported from a foreign country, there shall be placed a duty. This is my hon. Friend's (Mr. Drummond's) proposal. This is the proposal of him who declares that there is a struggle between capital and labour—between money and life—and that he is the unflinching advocate for labour against capital, and for life against money. What, then, is the course which he advises us to pursue? Is it to remove taxation from labour, and to place it upon capital? No! just the reverse. It is to tax labour, and exempt capital. My hon. Friend says, "I never will be satisfied until the labourer can make his own bricks—can gather his own hops, and can brew his own beer." And will my hon. Friend rest satisfied unless the labourer can eat his bacon and his bread without paying a tax upon the import of them? This advocate for labour against capital, this advocate for life against money, this friend of the poor, who says we never shall hear the last of it until the labourer can gather his own hops from his own hedge, and make his own bricks —this very man won't allow us to repeal the duty upon bricks—to—["No, no!"] Yes, but you are taking a course which renders the remission of the brick duty impossible. True it is, if you are careless of the public credit, then, indeed, it matters not. Then, any day you please, you may do all you propose; you may appropriate surplus, repeal income tax, remit the brick duty; but you cannot do all this, and at the same time maintain your obligation to the public creditor.

Now, let us see what this proposal will amount to, so far as benefit to the occupying tenant is concerned. I will not make a distinction between the occupying tenant and the landowner. I will assume the occupying tenant would derive the whole benefit from the change proposed, that there is that kind feeling on the part of landlords towards their tenants that they would not—supposing this proposition to be carried—act upon the rule of strict economic principle, and increase rents in proportion to the remission of local burdens. There would, therefore, arise a certain degree of benefit to the farmer. Let us estimate its real amount. This is a proposal to relieve real property from a charge to which it is subject—a charge, the amount of which I assume to be 2,000,000*l.*, and to transfer this charge to the Consolidated Fund. The burden is one not upon land exclusively, but upon real property, upon houses, mills, factories, as well as cultivable land. Now, the proportion which the land contributes to the tax is progressively diminishing, in consequence of the increasing prosperity of commerce and manufactures. That proportion of the 2,000,000*l.* which falls on real property, other than land, has, I say, been continually increasing. If you estimate the proportions paid in the year 1828, you would find that of the 2,000,000*l.*, to which all real property was subject, not less than 1,380,000*l.* was then paid by land. In 1833, the amount paid by land had fallen to 1,260,000*l.*; in 1841 to 1,040,000*l.*; while in 1849 there is only 900,000*l.* paid by the land out of the whole sum of 2,000,000*l.* Consequently, since 1828, as the result of the improvements in manufactures and commerce, and of the increase of houses, there has been and is a gradual tendency to relieve the land by the transference of the tax to other descriptions of property. There is, at the same time, notwithstanding an increase in the population, a diminution of the cost of maintaining the poor, on account of the diminished cost of provisions. Under these circumstances, the proposal is to grant relief from burdens upon real property to the extent of 2,000,000*l.*, the whole amount of these burdens which fall upon land being only 900,000*l.* It is other descriptions of real property which are to have the largest share of the relief—houses, mills, and manufactories, the owners of which have been directly benefited, according to your own argument, by recent changes in our legislation. Up to the present hour we heard of nothing but of landowners having been sacrificed to millowners—that the manufacturers have been in the ascendant scale—and that the prices of provisions have been reduced expressly for their benefit. Yet now, in order to gain 900,000*l.* for yourselves, you propose to relieve of a still greater burden others whose condition you declare has been actually improved by free trade, while yours has been deteriorated. But will the occupying tenant be benefited by a change which, while it removes only 900,000*l.* from the land, will remove from another description of property which has no claim whatever to relief, no less an annual charge than 1,100,000*l*? How is that 1,100,000*l.* to be provided for? By taxation, to which the occupying tenant must contribute his full share. What is the amount of benefit which the occupying tenant will receive—for I will admit, for the sake of argument, that he is to have the whole benefit? Threepence or fourpence in the pound will perhaps be the amount of his relief from direct charge; but he will have to bear increased taxation in order to make up the deficit of 2,000,000*l.* What, then, will be the position of the occupying tenant? You are preventing the remission of those public taxes which press upon him. You are about to reduce the amount of his payments to the extent of threepence or fourpence in the pound; but that threepence or fourpence of advantage must be diminished by the increased charge which he will have to bear in order to make up for the loss caused by the transfer of a pecuniary burden, more than one half of which falls on another party. It is my firm persuasion that the occupying tenant will derive no benefit whatever to compensate him for the loss you are about to inflict. This proposition, then, is an impolitic one, even so far as it concerns the interest of those whom it is specially intended to serve. My belief is, that agriculture, the landed interest, the occupying tenant, will find their interests better consulted by leaving it open to Parliament to consider whether any remission of public taxation unduly pressing upon them can be made, than by taking off this small percentage in the pound. So far, therefore, as the interest of the land is concerned, I decidedly object to the proposal, even if reference be had solely to its own abstract merits. If, indeed, it has another object—if it be intended to involve a reversal of the financial policy upon which we have been acting for some years, I have other and still stronger objections. I maintain, that up to the year 1842, the apportionment of the public taxation was most unjust—that labour and those who live by labour were unduly burdened—that there was scarcely a single article which entered into the consumption of the poor man which was not heavily charged. His cheese, his butter, his bread, his meat, everything that he consumed, every necessary of life, if brought from a foreign country, was subject to high taxation. The price of those articles according to your own admission, has been reduced—by what? It has been reduced, I presume, by free competition, by the unrestricted import from foreign countries of that produce upon which the labourer lives. You now remove from real property a charge of 2,000,000*l.*, and you are about to impose that charge upon the labouring class whose condition you considered in 1842—whom you thought unduly aggrieved by the pressure of taxation—whom you sought to relieve—whom you did relieve—and whose affection and gratitude you received in return. The relief you gave was material, but was not complete. There are still complaints of the tea duty, complaints of the soap duty, complaints of the window tax; you are fettering your liberty to consider all or any of these questions by appropriating this surplus. You are preventing the relief which it may be possible to give—relief much more valuable, much more extensive—by transferring this charge from the quarter where it is at present borne, and placing it upon the Consolidated Fund. I object to the justice of that transfer. I do not say that there may not be some burdens now borne by the land, in respect to which there may not be relief. I admitted in 1846 that the land was unduly burdened; that I thought the apportionment of local taxation was unjust; I attempted to give relief by transferring the whole charge of criminal prosecutions, the whole charge of the Irish police, half the charge of medical relief, the charge of schools—by placing these upon the Consolidated Fund. I am not prepared to say that full and complete relief was given in that respect—that the expenses of vaccination, or the militia, or the registration of voters, do not fall under the same principle. But I know this, that if you were to go into the Committee for which the hon. Gentleman moves, and were to deal with these trifling matters, and nothing else—were to say, as my right hon. Friend (Mr. Gladstone) possibly may say, "I think there is an excellent case made out for the vaccination charges being transferred to the Consolidated Fund; but I am sorry to inform the occupying tenant that he can have no other relief afforded him" — your relief will provoke nothing but scorn. Nay, if you should resolve that lunatic asylums fall within the same principle, and that the charge for them may beneficially be transferred to the Consolidated Fund, the farmers will consider that you give the most decisive proof of being fit inmates of such asylums, by making such a proposition after the hopes which will have been excited by the success of such a Motion.

Sir, my main objection to this proposal is, that it will imply, in the opinion of all those who rely on the promise of renewed protection, a reversal of the financial policy which we have of late adopted. I believe the welfare of this country is intimately connected with the relief of industry from undue taxation. I believe there is no more powerful instrument by which you can promote contentment and peace and satisfaction with your legislation, than by convincing those who live by labour that we, the landed proprietors —that the aristocracy of this country—are willing to submit to sacrifices which shall relieve from taxation those articles of food on which the industrious classes depend for subsistence. You have reaped the full advantage of the remissions of such taxation; you have witnessed during the last three or four trying years more contentment, more true loyalty to the Crown, more submission to privation, more of determined refusal to favour the designs of seditious men—of men pretending sedition, but in general agitating for their own private gain—than you have experienced under any other state of legislation. The burdens you may at first impose, may be light; this first of the series of measures may but in a small degree affect the labour and industry of this country, but you will shake the confidence of all who live by labour by this indication of repentance as to the course you have of late pursued. The relief to land which your first measure will give, will be found inadequate; there will be a fresh demand for the fulfilment of your promise of protection: and you will probably end, if you are strong enough to prevail, by the reimposition of duties, if not corresponding in amount, at least in principle, with those which were removed in 1842, and in subsequent years, under the system of commercial policy which has been since pursued. I earnestly and sincerely deprecate that course. I deprecate it as intrinsically unjust—I deprecate it as most impolitic, from its tendency to deprive you of that confidence and good will which have more than repaid you for any sacrifice you have made.

For the advice I gave you in 1846 to submit to those sacrifices, I have been exposed to charges for the last three or four months—the revival of charges of having acted unfaithfully and treacherously to interests which I undertook to defend. So far as intention is concerned, I entreat you to consider whether I could have any personal interest—any personal or political object, in giving the counsel which I gave, and in recommending the measures which were adopted. Admitting that there ought to be, with respect to the conduct and motives of public men, the utmost latitude of discussion, I shall abstain from any farther reference to the vituperation with which I have been assailed. There is, however, one charge that has been brought against me by the noble Lord the Member for North Nottinghamshire, which I must notice. That noble Lord not only imputed to me mistaken conduct, but he declared, at a meeting held in the county which he represents, that I had a private and personal interest in recommending those changes of the law which I proposed in 1846. It would be as well if we abstained in our political controversies from lightly imputing to each other dishonest motives. I should be disposed to give the noble Lord, in any course which he may take, credit for the purity of his motives, even while I might censure and denounce his acts. The noble Lord has not treated me with equal forbearance; he not only thinks that my course has been most impolitic and unjust; he not only thinks that it has been unfaithful to the interests which I was bound to protect; but the noble Lord informed those whom he addressed that I was influenced by considerations of private paltry gain in advising the repeal of the corn laws. He founds his charge against me upon the assumption that my interests in funded property far exceeded that which I had in land. The noble Lord had condescended, it appears, to make inquiry into my private circumstances, and undertook to inform those who were listening to him that my property in land was only one-fourth of that which I had in the funds, and that, therefore, I had a direct pecuniary motive in advising the repeal of the corn laws. Sir, I am little disposed to deprecate any reference which the noble Lord may think it consistent with his public duty to make to my private circumstances. I should have borne with much less equanimity the charges which have been brought against me, if I were not perfectly indifferent to inquiry and examination into any acts of mine, public or private, connected with my duty to the Crown. But this I have a right to require, that when the noble Lord thinks it fitting to charge me with personal motives, and to found that charge upon allegations connected with my private fortune, I have a right to require from the noble Lord that he will make some inquiry into the facts on which he relies, and that he will not prefer a charge upon an assumption which is utterly and totally erroneous. Sir, I shall not trouble the House with references to private matters; I shall only say that if the noble Lord had happened to state exactly the reverse of that which he did state with regard to my affairs, he would have been much nearer to the truth. The noble Lord, however impolitic or unfaithful he may think my course to have been, must acquit me of any intention to derive personal gain from the course I pursued.

Before you denounce the conduct of a Minister of the Crown as treacherous, it would be but just to place yourselves in the situation in which that Minister is placed, and to advert to the duties which devolve upon him. Sir, when I and those with whom I acted—my valued friends and colleagues—determined that it was our duty to propose to the Legislature the removal of the duties upon food, we were threatened with a portentous and mysterious calamity. It was impossible for us to know to what extent that disorder which threatened the food of a very large portion of the people of Ireland might go. We knew this—that in Ireland alone not less than 4,000,000 of men depended upon a single article of sustenance; we knew that on that article of sustenance no reliance could be placed. I must say, for one, that I felt it to be an imperative duty as a public man to take precautions, even if they should prove to be superfluous, against a calamity which might be fatal to the peace of the country, fatal to many thousands of lives. I believed that it would be injurious to the interests of the agricultural classes to witness the effects of disease and famine, and refuse to apply the natural remedy, namely, increased means of subsistence. I felt a strong persuasion, first, that the duties on the import of food ought to be suspended; and, secondly, that having been suspended, they could not, in the then state of public opinion and public feeling, be renewed—that the conflict for the revival of those duties, after their being once suspended, would be one which, even if successful, would not be for the real interest of those for whom it was undertaken. The noble Lord at the head of the Government had come to the same conclusion; the noble Lord did not, I believe, intend to embarrass the Government; but he had come to the same conclusion, that the duties upon corn ought to be suspended, and that after their suspension their revival would be impossible, at least impossible without a conflict which would be injurious to the interests of those for whose benefit protection was established. That was my sincere belief. I thought it my duty—a duty which I owed to God and to this country—if there were the chance of famine, to take the best precautions which could be taken, by suspending the duties upon food. I did conscientiously believe it would be most unwise to give a pledge that after that suspension those duties should be renewed. I may have been mistaken; but if mistaken, could I have had any personal or political object in forfeiting your confidence, in relinquishing office, and in exposing myself to all the abuse and vituperation, much less galling than the loss of the friendship and confidence, of those with whom I had long acted? That loss I must submit to, but in submitting to it I declare that the interval that has passed has only confirmed my confidence in the prudence of the course which we adopted, and in the policy and justice of those commercial principles which were acted upon from 1842 to 1846, and to which the present Government has, infinitely to my satisfaction, steadily and consistently adhered. Sir, I agree with the hon. Gentleman that the land is the stable basis of the State. I should deplore the day when the land lost its legitimate influence. But that day will never come; the land always must, and will, retain its legitimate influence. Why, you are now proclaiming that if there were a dissolution to-morrow, and a general election, so predominant is the influence of the land that a Parliament would be returned which would again revive protection. I totally differ from you as to the probable result of that election. It is my firm belief that protection never will and never can be revived; but you convince me that you think that the just influence of land is not diminished when you prophesy that it would return to Parliament a majority pledged to protection. Sir, the lapse of years, the progress of public opinion, the changes of institutions and manners, greatly modify the causes which contribute to the influence of landed property. It would be impossible to reinvest the land now with the privileges which it possessed at the time when the feudal system was broken up; and yet the relative weight and influence of the land are not necessarily diminished. Our institutions have undergone change and modification, but their vital energies are unimpaired. Queen Victoria could not address the House of Commons in the tone in which Queen Elizabeth addressed it. She could not exercise prerogatives which, exercised by her predecessor, were not contested; but I doubt whether the real authority of Queen Victoria—although great prerogatives have been relinquished—the influence of affection, of attachment, of willing obedience—be not greater than any which was possessed by Queen Elizabeth. So it has been with the privileges of the aristocracy; so it has been with the privileges of the House of Commons. There was a time when he who fished in one of your fishponds could be apprehended, and punished for a breach of privilege. You made a wise concession of privileges revolting to public opinion; but has your influence abated? No, but it has been derived from other sources. The willing abandonment of that which could not be justly maintained, was rewarded by an ample compensation in point of real power and honour. And so it is with the land. The froward retention of old customs, of old privileges, of unjust exemptions and advantages, would only undermine and not increase your force. A time had, in my opinion, arrived when relinquishment of such things was more for your permanent advantage, more for the maintenance of your real authority, than a severe, even a successful, struggle for their retention. By relinquishing protection—by giving to the poor and the labouring classes the advantages of an unrestricted import of food—by doing this, cheerfully and voluntarily, when there was no immediate pressure of absolute necessity, no violence, no menaces, you secured ample compensation, in enhanced influence and authority, for that which you relinquished in abandoning protection. Your just influence cannot be diminished. It is founded on ancient prescription, on the nature of our institutions, on your own high character and conduct; and depend upon it, it will not be lessened because you have refused to derive a pecuniary advantage by increasing the price of food, and imposing duties upon the sustenance of the people. Your interests are inseparably interwoven with the general prosperity. It may be premature to speak of the results of that system of commercial policy you have adopted, but you are not entitled prematurely to condemn it. I am speaking at a moment when the exports of manufactured produce in the first year of free trade in corn have exceeded by ten millions the exports of the last year, during which you had a system of restriction. I am speaking at a time when there is general contentment and submission to the law, when crime has been diminished, when morality has increased. If you will not admit these to be the natural results of our commercial policy, at least you cannot deny that they have been concurrent with a greater command over all the necessaries and comforts of life. I will not taunt the hon. Gentleman with not bringing forward the question of protection; but I deeply deplore that there has not been, and that there appears not likely to be, an opportunity of testing by discussion the merits of that great question. I think it unfortunate that by some direct vote we cannot decide whether protection shall be revived or not. It would be important to set at rest the minds of the occupying tenants; it would be important that landlords should understand that it is by encouraging improvements, by the application of skill, by affording facilities to the exertions of their tenantry, that they must trust for the means to meet foreign competition. The hope of meeting it by renewed protection will prove to be delusive. If that question be brought forward, I should then state at length the grounds on which I adhere to the principles on which I acted in 1842, upon which I should implore you not to shake the confidence which has been reposed in the justice and wisdom of Parliament, to look for the revival of agricultural prosperity by continuing the encouragement to industry, by increasing the demand for produce, by removing every remaining restriction on commerce, by leaving this great country, possessed as it is of natural advantages over every other country in the world—possessed of superior skill and capital, and every physical element of prosperity—I should implore you to trust to your superiority in all such advantages, and not seek, by protective duties and restrictions on commerce, to abate the motives for enterprise, and the inducements to perseverance and industry.

These, Sir, are my opinions, acted upon while I was in power, and confirmed by all subsequent experience. To these opinions I adhere; and I earnestly hope that I may never live to see the day when the House of Commons shall retrace its steps.

Lord J. RUSSELL: Sir, before the House comes to a division I feel it to be my duty to state—and at this late hour I shall do so very briefly—the reasons why, as a Minister of the Crown, I think it my duty to resist the Motion of the hon. Member for Buckinghamshire. The hon. Gentleman came forward, and, in a speech the temper and ability of which have been generally acknowledged, has proposed to us to go into a Committee of the whole House on the subject of the poor-laws, with a view to such a revision of them as may mitigate the distress of the agricultural classes. The hon. Gentleman has told us that, if we go into that Committee, he will propose three resolutions—the effect of the first of which would be to transfer to the Consolidated Fund the whole expense of the establishment of the poor-laws; the second would transfer to the Consolidated Fund some half a million of other charges; and the third would place upon the general revenue of the united kingdom the cost of maintaining and providing for the casual poor. The hon. Gentleman reckons that upwards of 2,000,000*l.* may be transferred to the Consolidated Fund, and he said, most fairly—not concealing his objects—that this was but one of a series of measures which he meant to propose. Now, Sir, I object to the proposition of the hon. Gentleman, in the first place, because I think the allegation, that it is founded in justice and required by justice, has not been proved. If it be true that this change is demanded by justice, I ask how it can be contended that the remaining 10,000,000*l.* of taxation, which the hon. Gentleman says is unfairly placed upon the agriculturists, should still continue to be imposed? The claim of justice applies to the whole 12,000,000*l.*, as well as to the 2,000,000*l.* which he proposes to transfer. If the claim of justice applies, it applies equally to the ten as to the two millions. I say, then, that the statement of the right hon. Gentleman the Member for Ripon was perfectly well founded when he said that he did not contemplate this as the only change; but that some fourteen or eighteen millions would follow the proposal now made. But, Sir, I do not believe there is any justice in this claim. I do not think, if we compare the whole of the burdens of this country as they are laid on the various classes of it, that there is the unfair pressure on the agricultural interest to which the hon. Gentleman has alluded. Let us consider how far the taxation of the country affects other classes as compared with the agricultural classes. With regard to legacy duty, for instance, that does not affect landed property. Then, again, with respect to the income tax, there is an inequality which I believe cannot be avoided, but which certainly cannot be denied—namely, that incomes obtained by the exertion of professional skill, the power to earn which may cease at any moment, are equally taxed with the hereditary incomes derived from landed property. Then, if we look to the poorer classes, there are upwards of 11,000,000*l.* raised by the Excise; and there are also the Customs' duties, to which the right hon. Member for Ripon has alluded, through which those classes contribute a large amount to the revenue of the country. So that I do not think that, as a general proposition, it can be maintained that the landed interest is unfairly burdened. But, supposing this claim is not founded in justice, let us consider if it is expedient to make the proposed transfer. Upon this point I am bound to say, that I should not feel justified, as a Minister of the Crown, in presuming that there will be a surplus of 2,000,000*l.* of revenue, or that this House can safely proceed upon that supposition. I do not feel by any means sure that, after the estimates are voted, the balance of the income over expenditure for the year will leave a surplus of 2,000,000*l.*; and if there were not such a surplus, the hon. Gentleman would have to propose new taxes. I must say, that, after having increased the public debt within the last few years, it will be our duty, if there should be any probability of a surplus, of income over expenditure in the next year, to diminish, if not the great general debt of the country, at least that portion of it which has been contracted within the last four years. I know that it would be a much more popular measure to propose a revision of taxation, but I feel I should not be justified in saying that I should be ready to take that course, because I consider that in the first place we should attempt some reduction of the debt lately incurred. But, supposing we were altogether to neglect that duty—that the House should decide that the whole surplus calculated upon shall go at once to the revision of taxes, I do not think it would be wise to determine now that the whole of that revision should be favourable to real property, and that you should preclude yourselves from the revision of any taxes that press hardly upon the industry of the country. There is one species of taxation which has been alluded to and strongly animadverted upon by a Committee of the House of Lords, appointed for the special purpose of considering that tax. The hon. Member for Buckinghamshire professes to be anxious to relieve not merely the great landed aristocracy, but the 200,000 persons who own small landed estates. Now, how are those small proprietors affected by the taxes now enforced as stamp duties? It is stated by the Committee I have alluded to, that in a 50*l.* sale the stamp duty amounts to 12½ per cent; on a 100*l.* sale to 5 per cent; and on sales above 100*l.* to 1 per cent. They state further in the evidence given by Mr. Baxter, that it appeared in evidence before them that a mortgage of 50*l.* would cost in law expenses and stamps 30 per cent; and that the expense goes on diminishing in proportion to the amount of the mortgage. The expenses on a mortgage of 12,500*l.* would be 1*l.* per cent, and upon a mortgage of 25,000*l.* 15*s.* per cent, and one of 100,000*l.*, only 12*s.* per cent. It appears, therefore, that the smaller proprietors, who may wish to mortgage their property to the extent of 50*l.* or 100*l.*, pay for stamps and law expenses a much greater amount in proportion than a larger proprietor who may effect a mortgage for 100,000*l.* When the hon. Gentleman says, then, that his object is to benefit not the richer proprietors, but the smaller yeomen of the country, I contend that it is not consistent with that profession to ask the House to adopt resolutions which would entirely preclude the Government and the House from entertaining any propositions which would tend to equalise these taxes, and diminish the very great and disproportionate burden thrown upon the yeomen. I will not now allude to other taxes, to which both the right hon. Baronet who spoke last, and the right hon. Member for Ripon, have referred; but I wish to notice one observation of the right hon. Member for Ripon, because otherwise impressions might be induced which might lead to very serious apprehensions in one of our colonies—I allude to the suggestion of the right hon. Gentleman that a tax should be placed upon colonial timber. I will not discuss the question whether it would be possible or advisable to reduce the duty upon foreign timber; but as Parliament has deliberately reduced the duty on colonial timber to 1*s.* a load, and Canada—which was deeply interested in the question—has suffered greatly from the failure of the expectations held out by the Act of 1843, that she should enjoy, to a great extent, a monopoly of corn in the markets of this country, I think it would be acting with very great imprudence, and even with injustice, to our North American provinces, if any further duties were imposed on colonial timber. The proposition of the hon. Member for Buckinghamshire would entirely deprive us of any chance of diminishing the debt we have incurred within the last few years; and in that respect I consider that if the House adopted it, they would come to a rash and imprudent decision. It would also deprive us of the opportunity of applying any surplus which may remain to the diminution of taxes, whether pressing specially upon the landed interest, or pressing generally upon the industrious classes. I think, therefore, that it would be wiser for the House to wait till the financial year is closed, and the whole state of our finances is laid before Parliament, and they can then judge whether the proposition of the Government, or the proposition of the hon. Gentleman opposite, will tend most to relieve the country. My right hon. Friend the Secretary of State for the Home Department has truly said that we are not to be considered, by rejecting this Motion, as being precluded, if there is any particular charge which has been unduly placed upon the real property of the country, from transferring it to the Consolidated Fund, or to the general revenue. But my right hon. Friend certainly did not intend any such revision or transfer as is proposed by the hon. Member for Buckinghamshire, but alluded to some of those smaller burdens which have of late years been placed upon the real property of the country, and which might be transferred without any embarrassment to our finances. Now let us see, as a matter of policy, what would be the advantage to the landed interest if the proposed great transfer were made. The right hon. Baronet the Member for Tamworth has shown that of the 2,000,000*l.* which the hon. Gentleman the Member for Buckinghamshire proposed to transfer, 1,000,000*l.* would go to the owners of real property who have no claim to special relief; and it is certainly in evidence that no great part of it would go to the tenant-farmers of the country. We are told by the right hon. Member for the University of Oxford that the landlords would show some indulgence to their tenants. I must say I think it is exceedingly doubtful. But beyond this there are other considerations which have not been much adverted to in this debate. There is one which I think of considerable importance, and it is this — the expenditure which would be caused under the proposed transfer. We know very well, that so long as the establishment charges are under local management, and supported by a local rate, there is a strong reason for a vigilance which it would be difficult for a public body such as the Poor Law Commission to exercise, and that if the proposed change were adopted, there would be a great danger that the expense would increase; but, besides, there is a part of the hon. Gentleman's proposal which I heard with considerable surprise —I mean that part which refers to the casual poor. Now, if there is one thing more than another which would lead to negligence and abuse, it would be the transference of that particular burden to the public revenue. It was stated by Mr. Ward, while Member for Sheffield, on one occasion that the expense of the casual poor of that town had increased in two years from 13*l*. 15*s*. to 503*l*. He stated that the increase of the poor-rate was in the following ratio:—In 1840 it was 26,000*l*.; in 1841, it was 35,000*l*.; in 1842, it was 52,000*l*. He did not positively state that the whole of this increase was owing to the casual poor; but the increase from 13*l*. 15*s*. to 503*l*., which I have referred to as having occurred under local control, shows how impossible it would be for my right hon. Friend the President of the Poor Law Board, conducting, as it is generally acknowledged he does, with great ability, that board, how impossible it would be for him to get any account of the casual poor so as to enable him to keep down the expense which would arise. There is another part of the statement of the hon. Gentleman which I think deserves the most serious consideration. The hon. Gentleman told us that this is the first of a series of measures, and the noble Lord the Member for Colchester told us that he considered this was only a part of the debt which is due to the landed interest. Now, are you prepared to take the first step in that direction, with the alternative of either agreeing or refusing in the ultimate measures which the hon. Gentleman proposes? The right hon. Gentleman the Member for the University of Oxford said, to be sure, that it is usual when persons proposed any reform, to say that it would lead to other measures. It was, no doubt, usual for the opponents of a measure to say so; but here it is said by the author of the measure—by the person who brought forward the resolutions. Well, then, let us see what those measures are to be. The hon. Gentleman the Member for Buckinghamshire presented a petition from Buckingham and its neighbourhood, praying the House to sanction such measures as would make real property bear a fair and just proportion of the revenue of the country, and also to render the competition between native industry and the foreigner more equal, by raising a portion of the revenue from foreign importations. Now, these words mean, as I understand them, that there should be an import duty upon all articles imported, including the special article of corn. The hon. Gentleman's measure, therefore, is a measure which is to lead hereafter, first, to a much further and more extensive transfer of the burden from the poor-rate to the Consolidated Fund, and, in the next place, to a revival of protection. Now, the right hon. Gentleman the Member for the University of Oxford, I must say, treated this subject in a manner which surprised me. The right hon. Gentleman said, if you adopt this measure, its tendency would be to weaken the agitation for the restoration of protection. I own I never heard a more curious consequence deduced from a victory than that it would weaken the application of the persons who had obtained it, and induce them to refrain from the further prosecution of their object. I always thought before, that if persons who pursued an object, in which, no doubt, they were very sincere, very zealous, and very earnest, got some advantage in the course of their career, that advantage excited them to go on. The right hon. Gentleman says, "No; give them this first step in their series of measures, and then the party will be satisfied and will go no further." The right hon. Gentleman, as the representative of the University of Oxford, ought to be a great logician; but I must confess that his present logic is very different from any that I have heard of in any university or school whatever. But let us follow out the practical consequences of the success of this measure, and see if they are such as are likely to weaken agitation. Let us suppose that the hon. Gentleman the Member for Buckinghamshire, with the aid of the right hon. Gentleman the Member for the University of Oxford, who is opposed to protection, and who would be sorry to see the principles of free trade disturbed—let us suppose, I say, that with this aid the hon. Member succeeds in his Motion to-night. With the same majority we must suppose that his resolution to transfer 2,000,000*l.* from the real property of the country to the Consolidated Fund would be carried in a Committee of the whole House. We must also suppose, that in order to carry out the measure, there would be a change of Ministers—for it would be contrary to decency and precedent that we should attempt to carry it into effect. Lord Stanley, and others who might obtain official position by the vote of this House, would doubtless be anxious to satisfy his friends in the country, who, if there is any truth in the history of agitation, would be more eager and bent on their object than ever. The hon. Gentleman the Member for Buckinghamshire would, no doubt, very soon propose some further measures which would have for their end the restoration of those import duties upon articles of food, which the right hon. Gentleman the Member for the University of Oxford induced Parliament to remove. When he made that proposition, the right hon. Gentleman, I conclude, would oppose it; and if he was successful in his opposition, that would of course be an end to the new Ministry for the restoration of protection; and how would the agriculturists like that? How would they relish to have all their hopes suddenly cast down to the ground, and told that a majority of the House of Commons would not allow them to be carried out? I ask, whether this is really the way to put an end to agitation? Would it not, on the contrary, be twice as great as now? Or, suppose that that other event of which so much has been talked of of late—I need have no delicacy in mentioning it—suppose I say that a dissolution of Parliament took place, and the battle, instead of being confined to the debates of this House, were carried to every hustings in the country—I ask if that would be likely to weaken the agitation? And until they get the new Parliament and saw whether it would agree to protection or not, with the whole agricultural interest on the one side, thinking the hour of victory was come, and the manufacturing classes irritated and violent, on the other, at the proposal for restoring the tax on their food, would not the agitation be ten times worse than it is at present? Although, therefore, I can well understand the object of the hon. Member for Buckinghamshire, and think he is proceeding in a fair way enough to obtain his object, I own I cannot understand those who, being against the end he has in view, are yet in favour of the means by which he seeks to obtain it. The agricultural interest may think that we who are the Ministers of the Crown have not only failed in our duty in not expressing proper sympathy for their distress, but in not proposing those measures of relief which they imagine to be calculated to give them the alleviation which they seek. My answer to that is this, that although we sincerely sympathise with the distress which they are suffering, I believe we should aggravate that distress, and not diminish it, if we said that either by a transfer, such as now proposed, or by reopening the question of protection, we should give any effective relief. My right hon. Friend the Home Secretary quoted returns which showed how great had been the diminution of the burdens upon the landed interest from the year 1815; and upon looking at those returns I find that while in 1815 the burdens upon real property for relief of the poor were as 1 to 49, they were in 1849 as 1 to 15. That is the statement as to the whole of the real property of the country in land; and if you were to take every description of real property, it would be seen that while about two-thirds of the whole sum charged, 5,813,000*l.*, fell upon the land in 1815, less than one-half fell upon land in 1849. If that is the case, and the land has at the same time increased in value, I beg the House to consider whence this alleviation of their burdens has arisen. It has arisen from nothing but the increase of the wealth of the country, from the manufactures, commerce, and industry of the country; and if this great relief has occurred from 1813 to 1849, so, if commerce and manufactures continue to flourish, the burden will be still further relieved, in the first place by commerce and manufacture bearing a great part of the burden, and in the next place by having the best market in the world ready at hand in which to dispose of their agricultural produce of every kind. Such I believe to be the true interest of agriculture. If, on the other hand, the landed interest will take the advice of a noble Duke, and say, "We will try our hand at political speculation, and see whether we cannot get another Government and other Parliament, which will restore protection," I believe that instead of their being in a flourishing condition they will continue to keep up agitation, and the cultivation of the soil will not be attended with that success which in other circumstances it would be certain to attain. I have no doubt that although the landed interest of the country have been of late misled in the view they have taken of their own interest, that in a short time, unless the House shall give encouragement to a contrary course by their vote to-night, they will act with the spirit which Mr. Lindsay, the shipowner, who wrote very ably in favour of the navigation laws last year, has displayed with regard to ships. He said—

> "I fought for the navigation laws, but they are gone. Let us act with the spirit of Englishmen, and see whether we can't get better men to command our ships—whether we cannot build them cheaper, as well as improve their construction, and whether we cannot stand against the competition of the world."

Now, if that is the case with regard to a shipowner, who sends his vessels to distant lands, what, I ask, is there to prevent the agricultural interest of England to compete, at their own homes, and close to their own doors, with any farmers abroad who may send their produce to this country? One of the mistakes most commonly inculcated is, that in other countries no taxes exist similar in amount to those of this country. But that is a total error. In France the land pays a tax amounting to 30 per cent on the value of the land. In Prussia the land pays a tax of more than 20 per cent, and there is hardly any of these countries in which the tax on the owners of land is not greater than in England. If this, then, be the case, let the landed interest of England look to their own exertions, to their own means, to their own intelligence, for their success in that great and useful pursuit in which they are engaged. I believe that the landed interest, containing among them the whole of the proprietors, great and small, of the land of this country, and all the occupiers of land in this country—I believe that they will preserve the influence they have hitherto had in this country. Sir, towards the end of the speech of the right hon. Baronet, who last spoke, the right hon. Gentleman alluded to a matter personal to himself. Now, the only thing I regretted in the course of his speech was, that the right hon. Gentleman should have thought it necessary to notice a speech of a noble Lord the Member for North Nottinghamshire, who imputed to him motives of personal interest in the course he had taken in recommending the repeal of the corn laws. Now, such a charge will not be credited by any man of sense and intelligence in this country. Whether the course which the right hon. Gentleman took in 1846—and in which I fully agreed with him—was for the benefit of the country, or whether, as some believe, it was calculated to injure the great agricultural interests, my belief is, that full justice will be done both in this time and in all future time, to the motives by which he was actuated. Commanding, as the right hon. Gentleman did, a great majority in the House of Commons—having it in his power if he thought fit, and believed it beneficial to the country, to continue to possess that majority by means of upholding the corn law, that he had then proposed the repeal of that law, shows, I say, that nothing but a predominant and paramount sense of duty—of duty to his Sovereign, of duty to those with whom he acted, of duty to the great mass of the people—could have led him to take the course which he then did. Sir, I have omitted altogether any question as to whether the course which the right hon. Gentleman took was a course which I thought at the time calculated for the benefit of the country. But I say that it would be to reduce the noble science of political administration in this country—that it would be to reduce the men in this House who take part in your deliberations—to the meanest level, if it could be supposed that he who then was the leader of the Government, and the leader of this House, could be induced by any mean or unfair motives to take the course which the right hon Gentleman then took. I only trust that he will not think it necessary again to defend himself from these attacks. If he does defend the course which he then took, let it be on the ground that it was calculated to be for the benefit of his country; but with regard to his personal motives I hold that he is quite above every breath of suspicion.

Lord H. BENTINCK said, he should not have risen at all, had it not been for the direct reference which had been made to him by the right hon. Baronet the Member for Tamworth; for he had not the vanity to suppose that, at that late hour of the night, the House, which had shown so little forbearance to speakers of the first class, would listen to him for more than a few moments whilst he endeavoured to give an answer to the remarks of the right hon. Baronet. If the right hon. Baronet had confined himself simply to what he (Lord H. Bentinck) did say on the occasion referred to, he would not have extracted a single word from him on this occasion; but as he had given way to a weakness—and not for the first time in that House—in sporting with non-combatants, who might not, from one circumstance or another, be able effectively to answer for themselves; and since the remarks of the right hon. Baronet had been somewhat hastily endorsed by the noble Lord who had just sat down, he trusted to the House to give him an opportunity of saying a few words in reply to the right hon. Gentleman. The right hon. Baronet had accused him with having, at a recent meeting in the country, charged him with falsehood and treason. [Sir R. Peel: No; with treachery.] Well, that was very nearly the same thing. However, he would now correct the right hon. Baronet as to what he really did say. What he said was, that the right hon. Baronet was a benevolent man—that, being in a good position in point of fortune, he was better able to bear the change his policy had produced than those agriculturists who had no funded property; that he was, on that account, better able to do what was handsome and liberal by his tenants. He did say, though he might be wrong in his figures—he did say that one-fourth of the right hon. Baronet's property might be in land, and the other three-fourths in money or in the funds. The right hon. Baronet, however, had now said that the reverse was actually true. [Sir R. Peel: No, no!] The right hon. Baronet had also said, that it was his (Lord H. Bentinck's) duty, before speaking of his property, to have investigated the matter, and to have ascertained in what his fortune exactly consisted. Would the right hon. Baronet say that he had nothing invested in mortgages? ["Oh, oh!"] The chief witness, however, on whose testimony he had rested what he had said about the right hon. Baronet, was the late Sir Robert Peel himself, who had said, when the right hon. Gentleman was passing his Currency Bill in 1819, that he would increase the fortune of his family, though he would ruin his country. That was sufficient ground for the remarks he had made respecting the right hon. Baronet's fortune; and if the right hon. Baronet would now get up and say that three-fourths of his property was in land, and one-fourth in the funds, he would be satisfied.

Sir R. PEEL: I really am quite ashamed to trouble the House upon this matter. The noble Lord said, at a public meeting, that I had a direct and personal interest in proposing the repeal of the corn laws, because my property was three-fourths in the funds, and one-fourth in land. He now asks whether I have not something in mortgages? If it is any satisfaction to the noble Lord, I will tell him that I have not a single shilling on mortgage; and what I said to the noble Lord was this, that if he had reversed his statement that I had three-fourths of my property in the funds, and one-fourth in land, he would have been nearer the truth.

Mr. DISRAELI replied: The right hon. Gentleman the Secretary of State, in following him the first night of the debate, had replied to a speech which he (Mr. Disraeli) had made in the House at the beginning of last Session; he also replied to a speech which he had the honour of making, in the county of Essex, during the recess; but the right hon. Gentleman, in his eagerness to meet all the points of the case, quite forgot to make any reply to the observations which he (Mr. Disraeli) made when he introduced this Motion on Tuesday last. The right hon. Gentleman said the Government were much disappointed that he had not proposed something definite respecting the Law of Settlement, which was rather singular, since, in the reports on the Law of Settlement by their own Commissioners, which the Secretary of State himself had just laid on the table, it was stated that although the general feeling of the country was against the Law of Settlement, as at present existing, yet opinion was equally general against any interference with that law, unless the Legislature, at the same time, interfered with the whole question of levying the rates for the maintenance of the poor. As that was a question which he (Mr. Disraeli) studiously and avowedly did not interfere with on the present occasion, his object being to avoid as much as possible all elements of controversy, he thought the disappointment of the Government at his declining to deal definitely with a subject on which the Government, and no one else, was prepared to legislate, was a disappointment which had rather been occasioned by unfounded expectations. The right hon Gentleman had also charged him (Mr. Disraeli) with having fallen into the same error as he did last year, and having confounded landed and real property. Now if there were any characteristic of the debate last year more marked than another, it was the precise and accurate manner in which the subject of discussion was presented to the House. What the House was then called on to consider were the burdens on real property; and there could be no mistake on the point, for on that occasion he (Mr. Disraeli) had laid printed resolutions on the table of the House, expressing, in language which could not be mistaken, that it was the general question of burdens on real property, and not the partial one of burdens on land, as the right hon. Gentleman now found it convenient to assert, which it was proposed to alleviate. What amused him (Mr. Disraeli) was the great uneasiness expressed by the opponents of this Motion lest the agricultural classes, in obtaining relief from unjust taxation, should also relieve other classes of Her Majesty's subjects equally oppressed. It seemed to him a great sin on their part that they had devised a scheme which might have this twofold effect. Nothing could exceed the astonishment of the Government, or the blank confusion of the ultra economists beneath the gangway, that men should be so besotted and so unselfish as to seek for relief from imposts, a part of the burdens of which fell on the shoulders of others. It seemed to be a course quite unparliamentary. Now he (Mr. Disraeli) always held it of the first importance that every proposition for the relief of taxation should be founded on principle. The principle of the present proposition was, that the whole property of the country should not enjoy great advantages supplied by taxes on one particular portion of that property. If in asserting that great principle of political justice, they conferred benefit not merely on the classes connected with the cultivation of the soil, but on other classes of the community, so much the better. Following up this strange objection of Gentlemen opposite, the right hon. Member for Ripon had said, that while they were complaining of local taxation they should think how much local taxation the railways were paying. Why should they grumble when the railways paid so heavily? Why, they had thought of all this. They had not forgotten the intolerable burdens experienced by the railways; and if these measures were passed, the railways, which formed a portion of the oppressed property, would find their due portion of relief. The hon. Member for Manchester came down the other night wailing over his falling shares; but if he could only support the proposition before the House, he might extend some relief to his suffering constituents who were interested in that species of real property. Were railways in such a flourishing condition, that they could afford to scorn relief from such a quarter? The Motion before the House had been subjected to some observations from another Member of the Administration, the Member for Westbury. He (Mr. Disraeli) was very sorry that absence from the House had prevented his hearing the greater portion of that speech. When he re-entered, he heard the hon. Gentleman say, "Now I will take you into the interior of Russia." This was the way in which a proposition to mitigate agricultural distress was met by a Member of the Government. The interior of Russia! Why, the farmers had had quite enough of the interior of Russia, and it was the very place of all others which they wished to hear no more of. The Motion of to-night had been opposed by a right hon. Baronet to whom he had already referred, the Member for Ripon, in a very considerable speech, but one which fortunately it was not necessary for him to dwell upon, for the moment he sat down, Fortune sent them an unexpected champion, who fairly unhorsed the right hon. Baronet. He could not help observing, however, that the right hon. Baronet at the commencement of his address had announced, that the measure was an enormous measure, and had finished by describing it as a petty Motion. He had no wish to pursue distant researches in *Hansard*, but he found at a date so recent as the 17th March, 1845, not five years ago, the right hon. Baronet stated to the House that "the landed interest was entitled to protection; but he felt that their peculiar burthens were rightly placed, and he was opposed to their removal;" and he did not think "that they should attempt to throw these burthens off, the rather that protection was given on account of them." This statement was made a few months before that protection was removed, greatly through the influence of the right hon. Baronet himself; and, therefore, on such a subject he might quote it, not only as an authentic, but as a classical, opinion. Then rose the right hon. Gentleman the Member for Tamworth. His principal objection to the Motion—a Motion to mitigate the distress of the agricultural classes by relieving them from some portion of taxation which no other classes bore, was, that the Motion did not take the shape of a definite and absolute proposal for the revival of what was called protection; the right hon. Gentleman would then have enjoyed the opportunity of discussing that great question, of which it would seem he had hitherto been deprived; and of entering into all those details which such a proposition would authorise. Now he (Mr. Disraeli) must observe, that whatever form any previous Motions of his had assumed, he was not aware that the right hon. Gentleman had ever omitted any opportunity of discussing the question of protection; and he would add, of considering it in every conceivable shape. Last year he (Mr. Disraeli) had proposed a Committee on the state of the nation, and had impugned the policy of the Government on every head: their foreign policy; their colonial policy; their financial policy; and so on. Well, he remembered the right hon. Gentleman had then risen, and in a speech certainly of great ability, but of remarkable length, had stated that he could not enter into the consideration of the foreign, or financial, or colonial, policy of the Government; but that considering this Motion an attempt to reverse the new commercial system, he should confine his observations solely to that subject. And to-night, too, when the right hon. Gentleman deplored not having an occasion to vindicate his commercial principles, he had spoken for a considerable time, and to his (Mr. Disraeli's) attentive, but it appears mistaken, apprehension, the right hon. Gentleman had entered very fully into the subject of protection. What the right hon. Gentleman would do when they did bring that question formally forward—in a definite and absolute manner—at what hour of the night he would rise, and at what hour of the morning he would cease—was one of those Parliamentary mysteries he (Mr. Disraeli) could not pretend to unravel. They had heard objections urged to adjourned debates, and he had sat on a Committee in which the right hon. Gentleman intimated that one means of shortening debates was to shorten speeches; but whenever the right hon. Gentleman did rise completely to vindicate the new commercial system of the country, judging from evidence afforded by what they were now to consider his collateral treatment of the case, it would seem that the address would be one of no ordinary length. The right hon. Gentleman seemed to admit that, on the whole, the agricultural interest was not fairly dealt with in 1846, and that he did not then diminish their burdens to the extent to which they were entitled. The noble Lord, too, the First Minister, once wrote a letter, in which on this subject he held out great hopes to the agricultural body; but when he was subsequently asked what he intended to have given them, the noble Lord shrunk under the gaberdine of the right hon. Gentleman, and said he meant what the right hon. Gentleman meant. But everything came out at last in that temple of free discussion; and now they had found out what the right hon. Gentleman and the noble Lord meant as compensation to the agricultural classes. The right hon. Gentleman clearly meant to take off the duty on bricks. The right hon. Member for Ripon was in the secret; he was also for taking off the duty on bricks. But the noble Lord was not for bricks; he was for taking off the duty on stamps. If these were the measures they had to propose, why did they not propose them on the proper occasion, so that the country might have understood that agricultural distress was to have been prevented by taking off the duty on bricks, and modifying the duties on stamps? They were now told that the surplus of which they had heard so much was an imaginary surplus; but it was not treated as an imaginary surplus on the first night of the Session. Then they brought down the hon. Member for Wolverhampton in unaccustomed and magnificent array to descant on the unprecedented prosperity with which the country was blessed, and they were told in that illuminated edition of the Speech from the Throne that there was a surplus of two millions. The right hon. Gentleman the Member for Tamworth told them, that if this Motion were carried, it would be tantamount to a reversal of their present commercial policy. A moderate demand for a partial relief from the unequal pressure of local taxation by a suffering class, tantamount to the reversal of their commercial policy! Why this was a style of rhetoric similar to that which introduced into public meetings a big loaf and a small loaf by way of calm discussion. It was nothing more nor less than clap-trap. But he (Mr. Disraeli) had observed of late that this was the way they were always now met on this subject. On the first night of the Session the noble

Lord the First Minister had founded an argument, that the Amendment proposed a different meaning from what it expressed, on some expression that had been used in another place by a noble Duke. Judging from the tone of the noble Lord, and the effect that had been produced on him, one would have supposed that the noble Duke had delivered some matured and highly elaborate oration, almost as famous as the speech *De Coronâ,* on the present state of public affairs. Who could have supposed that it was a casual and conversational observation, not delivered even on his legs, a whisper as it were aside, while another was speaking, which was the foundation of all this solemn pother. Yet they were reminded of it again to-night, in accents still more awful. The right hon. Gentleman the Member for Ripon—he was also convinced that the present Motion was a wolf in sheep's clothing; and why?—because of this ejaculation of the noble Duke on the first of the Session. The noble Duke again! So there were already two Richmonds in the field! But I hope the phantom will not after this be multiplied. The right hon. Gentleman the Member for Tamworth said, he was anxious to settle the question of protection by a vote of this House. He (Mr. Disraeli) was not one of those who, in or out of the House, attempted to depreciate the character, or detract from the just influence, of the House of Commons. He was too proud of being even its humblest Member ever to do that, even if it might please the passions of the multitude. But he thought the right hon. Gentleman on this as on some other occasions, had taken a somewhat exaggerated view of the influence of Parliament. He denied that the right hon. Gentleman could settle this question by a vote of the House of Commons. If it could have been settled by a vote of the House of Commons, it would have been settled long ago. The question must be settled out of doors. He gave no opinion now how it would be settled; indeed he deprecated and protested against the introduction of that topic into a debate with which it had nothing to do. The right hon. Gentleman the Member for Tamworth had studiously argued the question to-night, as if it were one between the aristocracy and the community. But there he joined issue with the right hon. Gentleman and his friend. He believed the right hon. Gentleman made a great mistake in doing so; and he deemed it an error which, if persisted in by a person so eminent, would lead to a great confusion in this country. Let him remind the House that it was not the aristocratic element of the agricultural classes that was agitating the country. He had read that morning in a journal of ability, which he believed was the organ of the right hon. Gentleman, that the more important portion of the hereditary aristocracy of the country did not sanction this disturbance. If that were the case, the more serious did the matter become. Sever from what are called the great proprietors this section of the aristocracy, and what had they against them? The most considerable portion of the middle classes. These were the people. They were not patricians, rich squires, or manorial lords who were agitating the country, but men of limited means, thrifty habits, and industrious lives. Such men could not be met by obsolete and old-fashioned distinctions about relieving owners at the cost of occupiers. What they said was, "You have thrown the soil of England into open competition with all the soils of the world, and you are bound by every principle of justice, and by every principle of your new industrial system, to free that soil from every general impost that is practicable, as a matter of policy, and from every peculiar burden as a matter of right." It had been objected to this Motion that it contemplated other interests besides those of the farmer. It was their pride that they had laid down a principle that would do justice to other interests; it was also a source of satisfaction to them, that these measures, if carried, would not benefit England alone, but equally Ireland and Scotland. Half a million of the assumed sum which would be remitted by these measures would go at once to Ireland. He looked with confidence to the support of the Members for Ireland to-night. If those hon. Gentlemen rightly understood the opportunity given to them by this Motion, they would avail themselves of it with alacrity. Were they not complaining every night of the Government of this country? Did they not feel themselves insulted the other night when an hon. Member ventured to hint that a loan to Ireland would ultimately turn out to be a gift? He asked them, therefore, well to consider the nature of the offer now made to them by the proposition before the House. [*A laugh.*] That laugh indicated how the Irish Members were treated in this House on this class of subjects. He offered them no loan, no boon, no bribe; but he called on them to come forward, and, on a principle of justice, demand a relief which was substantial and considerable. Was it not better to obtain a remission of taxation to the amount of half a million per annum on a principle of justice, than to lurk and linger in the haughty antechambers of Downing-street while some small aid was dribbled out, which, when it came down to the House of Commons, was ironically received by their opponents, as if Ireland was not prepared to fulfil the engagements which she had undertaken? The hon. Member for Meath (Mr. Grattan) had said the other night, that he, for one, would not accept the loan of the Government; but if he would assist in carrying this Motion to-night, he might be able to repay the whole loan of 300,000*l.* in one year, and put 200,000*l.* in his country's pocket besides. He should leave this Motion with great confidence in the hands of the House. He would not advert to the many extraneous topics which had been introduced into this debate. Whenever any effort was made to advance any practical measure of relief for the agricultural interest, they were always favoured with these diversions; and to-night the right hon. Gentleman the Member for Tamworth had not only vindicated his policy, but, as the noble Lord had delicately intimated to him, had unnecessarily vindicated his character. The right hon. Gentleman had been doing this for several years. He would pardon him (Mr. Disraeli) if he said, that it might become him, eminent as he was, to follow the example of an individual not less illustrious, who, placed in somewhat the same situation, and finding that his self-vindications were not as successful as he wished, at last declared, that "for the future he should appeal to posterity." Before the division was called, he would remind the House what was the proposition on which they were going to divide. It was not a proposition to reverse the commercial code of the country. It was a proposition to afford practical and real relief to interests which were acknowledged to be greatly suffering, and which he thought were greatly injured; but, above all things, he denied it was a proposition to assist the landlords, or that it was one of a series of measures the object of which was to foster the interests of the aristocracy. It was a measure to assist those 250,000 landed proprietors whom he had already described; to assist those 700,000 farmers with whose sufferings it would at least be policy to show they sympathised; but, above all, it was a measure which, by increasing the resources of the cultivators of the soil, was a forerunner of a policy that would elevate the condition of the peasantry of England.

The House divided on the Question—

"That this House will resolve itself into a Committee to take into its Consideration such Revision of the Laws providing for the Relief of the Poor of the United Kingdom of Great Britain and Ireland as may mitigate the Distress of the Agricultural Classes."

Ayes 252; Noes 273: Majority 21.

List of the AYES.

Acland, Sir T. D.
Anson, Visct.
Arbuthnott, hon. H.
Archdall, Capt.
Arkwright, G.
Bagge, W.
Bagot, hon. W.
Bailey, J.
Bailey, J., jun.
Baillie, H. J.
Baldock, E. H.
Bankes, G.
Baring, T.
Barrington, Visct.
Barron, Sir H. W.
Bateson, T.
Beckett, W.
Bell, M.
Bennet, P.
Bentinck, Lord H.
Berkeley, hon. G. F.
Best, J.
Blackstone, W. S.
Blair, S.
Blakemore, R.
Blandford, Marq. of
Boldero, H. G.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Broadley, H.
Broadwood, H.
Bromley, R.
Brooke, Lord
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Bunbury, W. M.
Burghley, Lord
Burrell, Sir C. M.
Burroughes, H. N.
Cabbell, B. B.
Carew, W. H. P.
Castlereagh, Visct.
Cayley, E. S.
Chandos, Marq. of
Charteris, hon. F.
Chatterton, Col.
Chichester, Lord J. L.
Cholmeley, Sir M.
Christopher, R. A.
Christy, S.
Clifford, H. M.
Clive, hon. R. H.
Clive, H. B.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Cole, hon. H. A.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Conolly, T.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Cubitt, W.
Currie, H.
Deedes, W.
Dick, Q.
Dickson, S.
Disraeli, B.
Dod, J. W.
Dodd, G.
Drax, J. S. W.
Drumlanrig, Visct.
Drummond, H.
Duncombe, hon. A.
Dunne, Col.
Du Pre, C. G.
East, Sir J. B.
Egerton, Sir P.
Egerton, W. T.
Estcourt, J. B. B.
Euston, Earl of
Evelyn, W. J.
Farnham, E. B.
Farrer, J.
Fellowes, E.
Filmer, Sir E.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Fox, S. W. L.
Frewen, C. H.
Fuller, A. E.
Galway, Visct.
Gaskell, J. M.
Gladstone, rt. hn. W. E.
Goddard, A. L.
Gooch, E. S.
Gordon, Adm.
Gore, W. O.
Gore, W. R. O.
Grace, O. D. J.
Grattan, H.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Harcourt, G. G.
Harris, hon. Capt.
Hayes, Sir E.
Heneage, G. H. W.
Heneage, E.

Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hildyard, T. B. T.
Hill, Lord E.
Hood, Sir A.
Hope, A.
Hornby, J.
Hotham, Lord
Hudson, G.
Inglis, Sir R. H.
Jocelyn, Visct.
Johnstone, Sir J.
Jolliffe, Sir W. G. H.
Jones, Capt.
Ker, R.
Knight, F. W.
Knightley, Sir C.
Knox, Col.
Lacy, H. C.
Lascelles, hon. E.
Law, hon. C. E.
Legh, G. C.
Lennard, T. B.
Lennox, Lord A. G.
Lennox, Lord H. G.
Leslie, C. P.
Lewisham, Visct.
Lindsay, hon. Col.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, hon. Col.
Lowther, H.
Lygon, hon. Gen.
Mackenzie, W. F.
Macnaghten, Sir E.
Meagher, T.
Mahon, Visct.
Mandeville, Visct.
Manners, Lord C. S.
Manners, Lord G.
Manners, Lord J.
March, Earl of
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Monsell, W.
Moody, C. A.
Morgan, O.
Mullings, J. R.
Mundy, W.
Mure, Col.
Naas, Lord
Napier, J.
Neeld, J.
Neeld, J.
Newport, Visct.
Newry & Morne, Visct.
Noel, hon. G. J.
Nugent, Lord
O'Connor, F.
O'Flaherty, A.
Packe, C. W.
Pakington, Sir J.

Palmer, R.
Patten, J. W.
Pennant, hon. Col.
Pigot, Sir R.
Plowden, W. H. C.
Plumptre, J. P.
Portal, M.
Prime, R.
Pusey, P.
Reid, Col.
Rendlesham, Lord
Renton, J. C.
Repton, G. W. J.
Richards, R.
Rufford, F.
Rushout, Capt.
St. George, C.
Sandars, G.
Sandars, J.
Scott, hon. F.
Seymer, H. K.
Sheridan, R. B.
Sibthorp, Col.
Sidney, Ald.
Simeon, J.
Smyth, J. G.
Somerset, Capt.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanford, J. F.
Stanley, E.
Stuart, H.
Stuart, J.
Sturt, H. G.
Sullivan, M.
Talbot, C. R. M.
Taylor, T. E.
Thesiger, Sir F.
Thornhill, G.
Tollemache, J.
Townley, R. G.
Trevor, hon. G. R.
Trollope, Sir J.
Turner, G. J.
Tyrell, Sir J. T.
Verner, Sir W.
Villiers, Visct.
Villiers, hon. F. W. C.
Vyse, R. H. R. H.
Waddington, D.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Wegg-Prosser, F. R. H.
Welby, G. E.
West, F. R.
Williams, T. P.
Willoughby, Sir H.
Wodshouse, E.
Worcester, Marq. of
Wynn, Sir W. W.
Yorke, hon. E. T.
Young, Sir J.

TELLERS.

Beresford, W.
Newdegate, C. N.

List of the NOES.

Abdy, Sir T. N.
Adair, H. E.
Adair, R. A. S.
Aglionby, H. A.
Alcock, T.
Anderson, A.
Anson, hon. Col.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Bagshaw, J.
Baines, rt. hon. M. T.
Baring, rt. hon. Sir F. T.
Barnard, E. G.
Bass, M. T.
Bellew, R. M.
Berkeley, Adm.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Birch, Sir T. B.
Blewitt, R. J.
Bouverie, hon. E. P.
Bowles, Adm.
Boyle, hon. Col.
Brand, T.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown-Westhead, J. P.
Brown, W.
Browne, R. D.
Bunbury, E. H.
Burke, Sir T. J.
Busfeild, W.
Buxton, Sir E. N.
Campbell, hon. W. F.
Cardwell, E.
Carter, J. B.
Caulfield, J. M.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chaplin, W. J.
Childers, J. W.
Clay, J.
Clay, Sir W.
Clerk, rt. hon. G.
Cobden, R.
Cockburn, A. J. E.
Colebrooke, Sir T. E.
Collins, W.
Copeland, Ald.
Corbally, M. E.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Currie, R.
Curteis, H. M.
Dashwood, Sir G. H.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Denison, J. E.
Devereux, J. T.
D'Eyncourt, rt. hon. C. T.
Divett, E.
Douglas, Sir C. E.
Douro, Marq. of
Drummond, H. H.
Duff, G. S.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Duncuft, J.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Ebrington, Visc.

Ellice, rt. hon. E.
Ellice, E.
Ellis, J.
Elliot, hon. J. E.
Enfield, Visct.
Evans, Sir De L.
Evans, J.
Evans, W.
Fagan, W.
Fergus, J.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fortescue, C.
Fortescue, hon. J. W.
Fox, R. M.
Fox, W. J.
Freestun, Col.
Gibson, rt. hon. T. M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, J.
Greene, T.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Grey, R. W.
Grosvenor, Lord R.
Grosvenor, Earl
Guest, Sir J.
Hall, Sir B.
Hallyburton, Lord J. F.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, R.
Hastie, A.
Hastie, A.
Hatchell, J.
Hawes, B.
Hayter, rt. hon. W. G.
Headlam, T. E.
Henry, A.
Hervey, Lord A.
Heywood, J.
Heyworth, L.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Hodges, T. T.
Hogg, Sir J. W.
Hollond, R.
Hope, H. T.
Howard, Lord E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Howard, Sir R.
Hume, J.
Humphery, Ald.
Hutt, W.
Jackson, W.
Jermyn, Earl
Jervis, Sir J.
Keogh, W.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
King, hon. P. J. L.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. W. S.
Lemon, Sir C.

Lewis, rt. hn. Sir T. F.
Lewis, G. C.
Littleton, hon. E. R.
Loch, J.
Locke, J.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
M'Taggart, Sir J.
Mahon, The O'Gorman
Mangles, R. D.
Marshall, W.
Martin, J.
Martin, C. W.
Martin, S.
Masterman, J.
Matheson, A.
Matheson, J.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Milton, Visct.
Mitchell, T. A.
Moffatt, G.
Morison, Sir W.
Morris, D.
Mostyn, hon. E. M. L.
Mowatt, F.
Mulgrave, Earl of
Muntz, G. F.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, T.
O'Connell, M.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Paget, Lord A.
Paget, Lord C.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Pearson, C.
Pechell, Sir G. B.
Peel, rt. hon. Sir R.
Peel, F.
Pelham, hon. D. A.
Pendarves, E. W. W.
Perfect, R.
Pigott, F.
Pilkington, J.
Pinney, W.
Power, Dr.
Power, N.
Price, Sir R.
Pugh, D.
Raphael, A.
Rawdon, Col.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Rice, E. R.
Rich, H.
Romilly, Sir J.
Rumbold, C. E.
Russell, Lord J.
Russell, hon. E. S.
Russell, F. C. H.
Rutherfurd, A.
Salwey, Col.
Scholefield, W.
Scrope, G. P.
Scully, F.
Seymour, Lord
Shafto, R. D.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, J. B.
Smythe, hon. G.
Smollett, A.
Somers, J. P.
Somerville, rt. hn. Sir W.
Spearman, H. J.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Strickland, Sir G.
Stuart, Lord D.
Stuart, Lord J.
Talbot, J. H.
Tancred, H. W.
Tenison, E. K.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Tollemache, hon. F. J.
Towneley, J.
Townshend, Capt.
Trelawny, J. S.
Tynte, Col. C. J. K.
Verney, Sir H.
Villiers, hon. C.
Vivian, J. H.
Wakley, T.
Wall, C. B.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
Willcox, B. M.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, W. P.
Wortley, rt. hon. J. S.
Wyld, J.
Wyvill, M.

TELLERS.

Hill, Lord M.
Tufnell, H.

The House adjourned at half-after One o'clock.

HOUSE OF LORDS,

Friday, February 22, 1850.

MINUTES.] PUBLIC BILLS.—2° Criminal Law Consolidation.
3° Acts of Parliament Abbreviation.
Royal Assent.—3° County Cess (Ireland).

PRESBYTERIAN CLERGY IN THE NORTH OF IRELAND.

The MARQUESS of LONDONDERRY wished to engage the attention of his noble Friend the President of the Council for a few moments, although he had no intention of putting to him any immediate question. On a former evening he had had occasion to advert to the conduct of the Presbyterian clergy in that part of Ireland with which he was more immediately connected, and he had noticed their proceedings more particularly in the county of Down. Most extraordinary proceedings had taken place recently at Banbridge in that county, and, in consequence, a Presbyterian minister, who called himself "William Dobbin," had written a letter to him, calling upon him "respectfully, but firmly, either to substantiate the statement which he had made in the House of Lords, as it appeared in the *Times* newspaper of Thursday last, or to retract the imputation." Now, he could not be certain whether the words which he then used were those which were reported in the *Times*, but he was quite certain that he had not said anything which he had occasion to retract. He had mentioned the state of his county to his noble Friend the Lord Lieutenant of Ireland in private, and, as he was now in this country, he should have been very glad had the noble Lord then been in the House. Since he had last mentioned this subject to their Lordships three more incendiary fires had taken place in the county of Down; and in the county of Antrim, adjacent to his residence, several farm buildings, on the estate of Mr. ——, had been set on fire, merely because he had thought fit to make a change among some of his tenantry. He contended that this was owing to the bad language and preaching, and to the almost advice, of some Presbyterian clergymen to resist the law, and to abstain from the payment of rent. He was satisfied that these matters had attracted the attention of his noble Friend the Lord Lieutenant of Ireland. He had always looked upon that noble Lord as the best Lord Lieutenant Ireland had ever had. He wanted to know from his noble Friend opposite whether there was no method by which the Government could punish these deluders. The deluded, he knew, could be punished; but he was anxious that the deluders should be apprised that the Government was in possession of means by which they also could be touched. He believed that the *Regium Donum* was granted to these ministers on the application of certain clergymen of their persuasion in the province of Ulster; and some of these deluders had scarcely any other income than that which they derived from that source. Could not Her Majesty's Government intimate to these men that it was in its power to deprive them of these emoluments, in case they continued to drive the tenants to resist the law of the land, and to refuse the payment of their rents? He should not have mentioned this subject now, had he not received the letter to which he had alluded on coming down to the House that evening. It was a letter highly indecent and improper. He did not know whether it did not approach very near to a breach of privilege to call upon him to recant words which he had spoken in his place in Parliament.

The Marquess of **LANSDOWNE** regretted that his noble Friend the Lord Lieutenant of Ireland was not in the House, as he could have given the noble Marquess a more satisfactory answer than he (the Marquess of Lansdowne) was enabled to give. He had no hesitation in saying that the language made use of by these clergymen was grossly improper; but it did not follow that because it was so, the Government should think it politically expedient to recommend the Lord Lieutenant to write to the law officers of the Crown to adopt the very grave step of instituting prosecutions against these persons. The distribution of the *Regium Donum* was made under the authority of the Presbyterian Church, and he did not think it advisable that the distribution of the *Regium Donum* should be interfered with.

The Earl of **MOUNTCASHELL** said, that, connected as he was with the part of Ireland to which the noble Marquess had alluded, he wished to say that he was acquainted with a great many Presbyterian clergymen in the north of Ireland, and that he did not believe the great majority of them would concur in the language alluded to. Some few of the body might have used such language, but he was sure the great majority would not do so. He did not wish, therefore, that it should go forth from their Lordships' House that a stigma had been cast on the whole Presbyterian body, on account of the misconduct of a few of its members. He knew the Presbyterians of the north of Ireland well, and this he could say of them, that a more loyal and well-disposed body of men, or one more determined to maintain the union between the two countries, did not exist.

Lord **BROUGHAM** entirely agreed with his noble Friend near him that there was in this letter something very like an encroachment on privilege—a subject on which, perhaps, he held laxer principles than some of their Lordships. His Friend the noble Marquess had shown him the letter of Mr. William Dobbin, and had authorised him to read it to the House. It was as follows:—

> "Anaghlone, Banbridge, Feb. 19, 1850.
>
> "My Lord—In the *Times* of Friday last you are reported to have stated in your place in the House of Lords as follows, as regards Down:—'That hitherto peaceable and industrious county is in a state of dreadful excitement, by the Presbyterian ministers at the present moment exhorting the people not to pay rents, but to resist the laws.' I am instructed by the Committee of the Tenant-right Defence Association of Banbridge to call upon your Lordship respectfully, but firmly, either to substantiate your statement, or to retract the imputation.—I am, my Lord, your Lordship's obedient servant,
>
> "William Dobbin, Presbyterian Minister,
> Anaghlone, Banbridge,
> "Secretary *pro tem.*
>
> "The Marquess of Londonderry."

It certainly was a very great liberty to take, to call upon a Peer of Parliament to retract a statement made by him in that House. He believed that these Presbyterian ministers were a most respectable body; but he hoped that they were now a little more loyal than they were in 1798.

The Marquess of **LONDONDERRY** was not inclined to cast the slightest imputation on the great body of the Presbyterians or of their ministers, for his own father had originally been a Presbyterian. He was sorry, however, to say, that there were not one or two, but several instances, in which Presbyterian clergymen had recently misconducted themselves. He could not pass over this challenge to him without notice; but he did not wish any further proceedings to be founded upon it.

THE AFFAIRS OF THE RIVER PLATE.

The Earl of **HARROWBY** rose to put a question, of which he had given notice, with regard to the present state of the relations between this country and the States on the River Plate. He would remind the House that, during the last Session of Parliament he had put several questions to the noble Marquess opposite, on the subject of our relations with the

Government of Buenos Ayres, and that the noble Marquess had then assured him that at that moment he (the Marquess of Lansdowne) had reason to expect that arrangements were in the course of completion, by which peace would be restored to the waters of the Rio Plata. The noble Marquess, however, at that time, had refused to lay before the House the papers explanatory of the state in which the negotiations then were, on the ground that it was necessary to consult with France on the subject of them, and that, as the President of the Republic was then absent from Paris, his concurrence in those negotiations could not be immediately obtained. Six or seven months had since elapsed, and he therefore thought that there could be no difficulty now in giving him the information which he required. As far as official information went, the House and the country were left in complete darkness as to what had passed. The subject, however, had attracted attention in the Legislative Assembly of France, and it appeared from the discussion which had there taken place upon it, that there had been an omission in the arrangement entered into between the Government of this country and that of Buenos Ayres to make any provision for the protection of the life and property of foreigners resident in Monte Video and engaged in the struggle. This had occasioned great anxiety in the minds of the parties concerned in the trade on that river; and he (the Earl of Harrowby) wished to be assured on that point. Moreover, it was of considerable importance to ascertain from the noble Marquess, even if he were not prepared to lay on the table the treaty which was said to have been entered into, whether the intention which he had formerly announced had been carried out in any other manner. The noble Marquess had stated that the arrangement of Mr. Hood would be the basis on which the treaty was to be signed. He (the Earl of Harrowby) therefore wished to ask the noble Marquess directly whether the treaty had been actually signed on that basis? The original proposition, on which the negotiations were entered into with the Government of Buenos Ayres, when they were first commenced under the auspices of the noble Lord behind him (the Earl of Aberdeen) was, that the preservation of the independence of Monte Video should be the point principally kept in view. It was stated in the instructions given by his noble Friend (the Earl of Aberdeen) to the English envoy, that "the point to be principally kept in view, and the one which is of most importance to the mediating parties, is the preservation of the independence of Monte Video. To this the honour of England, France, and Brazil is respectively pledged, and it is one upon which no compromise can be admitted." He hoped that Her Majesty's Government had not departed from that principle, and that they were fully sensible that "the recognition of the independence of Monte Video would be of little value, so long as General Rosas continued the chief supporter of General Oribe's cause, whether that support was given to him ostensibly by arms, or secretly by the aid of money or other influence." The first proposition made by the joint Plenipotentiaries of France and England to General Rosas was, that "he should unite and co-operate with them in obtaining an immediate suspension of hostilities between the Oriental forces in the city of Monte Video, and those in the country." He asked whether that proposition was carried out in the treaty? The second proposition was, "that the armistice having been established, the Plenipotentiaries of England and France would claim from the Government in Monte Video the immediate disarming of the Foreign Legion and other foreigners bearing arms and forming the garrison of the city of Monte Video, or who might be in arms in other parts of the Oriental Republic;" and the third proposition was, that "General Rosas would, simultaneously with the execution of the preceding condition, cause the whole of the Argentine troops, officers and soldiers, to be withdrawn from every part of the Oriental territory." The seventh proposition was, that "after the disarming of the foreign troops in Monte Video should have been effected, and the Argentine forces should have evacuated the Oriental territory, a new election for the Presidency of the Oriental State should take place, according to the forms prescribed by the constitution. The election was to be made freely and without restraint from any side whatever. General Oribe was previously to declare that he would abide by the result." To wind up the work, "a general and complete amnesty was to be declared, with full security for life and property and oblivion of the past; the rights of foreigners were to be respected, and their lawful claims, of whatever nature, were to be admitted." He wished to ask the noble Marquess opposite whether these were the main principles of the negotiations recently concluded, and were they fully kept in view in the treaty recently contracted? He entertained a confident hope that the Government had not overlooked these principles.

The **MARQUESS of LANSDOWNE** said, he was sorry that it was not in his power to lay this treaty on the table until it had received the ratification of General Rosas. The treaty was signed some time ago in this country—he believed on the 24th of last November; but as yet the ratification of it had not been received from the Government of Buenos Ayres. He could inform his noble Friend that the treaty was founded on the Hood basis; but with regard to some of the other points which his noble Friend had mentioned, he could only say that they were points to be settled, not with General Rosas, but with General Oribe. The withdrawal of all interference with Monte Video was provided for in the treaty. Some delay had occurred in sending the treaty for ratification to Buenos Ayres, in the hope that the French Government, which was a party to the original engagement, would have also acceded to it; but the efforts of the British Government had not been altogether successful, as France would not accede to that treaty, except under modification. This country had, therefore, entered into the arrangement on its own account.

The **EARL of ABERDEEN** said, that the subject now assumed rather a different aspect from that which it wore when last discussed. He understood now that the treaty which had been signed, but not ratified, was contracted only with General Rosas, that no treaty had been entered into with General Oribe, and consequently that the Oriental Republic was left in the condition in which it was before the treaty with Rosas had been entered into. Now, whatever might have taken place with Rosas, if the independence and security of the Oriental Republic was not provided for, we should have done nothing at all. This was, in fact, the only object of importance, because with Rosas we had no quarrel, we had nothing to complain of, nothing to ask, except the independence of the Oriental Republic; and if he withdrew his troops from that State, and left the independence of the Oriental Republic established, in that case we had no further demand to make upon him. And, indeed, he was at a loss to know what the object of the treaty could be, for, except that stipulation, there was nothing else that we had a right to exact. Last year, when the noble Marquess said that the treaty in contemplation was founded upon what was called the Hood basis, which were the terms sent out jointly by this country and the French Government in May, 1846, with modifications of no great importance, he (the Earl of Aberdeen) then said that he had no objection whatever to agree to modifications of that basis, provided they were not such as to destroy the whole substance of the convention. Now, if there had been any omission that would leave the independence of the Oriental State insecure, and did not provide for the safety of persons and property there situated, he should say that would not only be not a modification, but the entire destruction of the whole principle upon which they proceeded. He thought it was unfortunate, and a mistake on the part of Her Majesty's Government, to have separated themselves from the French Government in the conduct of these negotiations. We had had France bound to us by convention, as we were bound ourselves, to obtain no exclusive advantage, either political or commercial, in any negotiation that might be carried on in those regions. We had now released France from that obligation, and, in concluding our own treaty separately, we had restored to France her freedom of action, and enabled her to consult, and properly to consult, her own interests in the arrangement to which she would arrive. He held in his hand the report of the Commission appointed by the National Assembly of France to examine the treaty entered into by Admiral Lepredour—a treaty, he apprehended, very similar to that which we had concluded. That treaty, however, was not only not ratified, but not accepted, either by the Commissioners to whom it was referred, or by the French Government, or by the Assembly. It was rejected, without opposition, unanimously, and no vote was taken. The Commission said, France had now the power of acting separately, and might do as she chose; the words of the reporter were, that "the two Powers are now acting separately, and England has not the right, and no doubt has not the intention to complain; for she has concluded her own treaty without informing us, and thereby has restored to us our freedom of action, in a manner, we must venture to say, without much ceremony" (he supposed, therefore, they were not well satisfied with our concluding a treaty); "each of the two Governments, therefore, henceforth will consider its own interests exclusively, without either having reason to complain of the other." And how had they used their freedom of action? Why, the first thing the French Government had done had been to send out a garrison to Monte Video; they had sent out a garrison of 1,500 men, quite a sufficient force for that purpose, though not sufficient to carry on the war; but they had secured the town, and they had done well—he was heartily glad of it. They were pursuing their own objects, so far as the interests of France were concerned, but no longer in conjunction with us. If General Rosas, when he saw 1,500 French troops in Monte Video, should think it time to conclude and agree to reasonable terms, it was probable the French garrison would then return, for the French Government would have received the satisfaction to which they were entitled; but if not, if they should not be able to conclude such a treaty, the treaty which Lepredour offered, in the way the French Government thought proper; in that case they would most probably follow up the expedition of 1,500 men by a force that would be of a more formidable nature, and would compel the Government of that country to come to the terms they offered. Now, he should account this an unfortunate result; he thought it would have been much better if we had retained our concert, acted together, and agreed on the same treaty, as we had agreed in two cases when it was drawn up in conjunction with the French Government. He thought that the treaty which we had signed should have been drawn up in concert with the French Government, and then they could not have reasonably complained of the unceremonious manner in which we had separated from them. But this he must say, that although he thought it an unfortunate result that France should establish a permanent influence in Monte Video, and possibly, if driven to necessity, occupy the whole territory, and carry on a war there which would leave her in possession of the Oriental Republic, he had no hesitation in saying that he infinitely preferred to see the French in possession of Monte Video, than to see Rosas in possession of it; because, if he occupied both banks of the River Plate our commerce would be in jeopardy, as in such a Power it would be impossible to place any confidence whatever. Therefore, much as he deprecated the result which had enabled France to act separately and in a hostile manner in the River Plate, he still should infinitely prefer to see France there than Rosas established in the Oriental State. However, that danger would be obviated if their occupation of Monte Video by a French garrison should bring Rosas to his senses, and induce him to agree to such terms as the French Government were entitled to ask. It was important to know whether the withdrawal of the troops of General Rosas was to take place on the ratification of the treaty forthwith, or was to depend on some general arrangement with Oribe. If the treaty contained conditions for the withdrawal of the troops, that was so far satisfactory; but he must repeat that it was a clumsy and imperfect arrangement to have entered into any treaty with General Rosas, without at the same time having concluded a treaty with Oribe. But there was another point to be noticed in reference to these negotiations. We had had a Minister, he believed, for more than a year at Buenos Ayres, carrying on a friendly negotiation with that Government; and it appeared that that Minister had never yet been admitted officially into the presence of Rosas. We were told that he was received with courtesy and treated with honour; but the British Envoy had never been admitted into the presence of General Rosas, even, he understood, after the treaty had been signed. Our Minister, according to the last accounts received from him, having placed himself on a footing of eternal friendship with this Government, was actually not allowed to appear in the presence of the President of the Republic of Buenos Ayres. He quite admitted that it was absurd to insist rigorously on diplomatic etiquette with semi-barbarous governments; we lost no dignity by making concessions to a weak Government, but only showed we could afford to behave in a manner very different from that which would be becoming in the case of a first-rate Power; but, after all, there were limits to insolence, and he did think it was the most unheard-of thing that the English Minister, having signed a treaty of friendship, should not be received by the Government to which he was accredited. Was he to loiter in the antechamber of this Gaucho chief—

"Donec Bithyno libeat vigilare tyranno?"

Was he to wait the pleasure of the barbarian till it was convenient to see him? Why, this was really carrying insolence too far. The noble Marquess had given an answer to the questions of his noble Friend (Lord Harrowby) which he (the Earl of Aberdeen) hoped would turn out satisfactory; but, for his own part, he had grave doubts on the subject.

LORD HOWDEN was understood to say, that in his opinion the advantages that were anticipated from the opening the Parana to Paraguay were quite visionary, or, at any rate, greatly exaggerated; and that however much the gallantry of the soldiers and sailors at the forcing of the passage of the Obligado might be admired, the expedition itself was little better than a buccaneering affair undertaken without the sanction of the two Governments. It was a gross infraction of national law, and incensed General Rosas at a time when our object should have been to conciliate him. He was not surprised that after such an occurrence General Rosas should have been somewhat hypercritical as to the phraseology of our treaty, particularly when it related to the navigation of rivers flowing through the States of different Powers. He hoped that France would agree to the same treaty to which we had agreed; for he was quite sure that we, in signing that treaty, had settled the question. He had recently seen that in the French Assembly many assertions which had been industriously circulated respecting the treatment of Europeans by General Rosas had been received as facts, when from his own experience he knew them to be utterly devoid of truth. He knew many cases in which General Rosas had offered to Europeans every care and protection; and he believed that the treaty which we had made with that chieftain would be sacredly observed by him in all its stipulations. The inhabitants of the Banda Oriental were as well aware as any Europeans of the excellent site of their capital town for commercial purposes, and its superiority as a military position; they were extremely attached to their nationality, and ready to give due proofs of this feeling. At this time, when there were only 200 or 300 miserable Orientals within the town of Monte Video, it might be necessary that that place should have the protection of a foreign garrison; but if the wealthy and intelligent inhabitants who were in the camp of General Oribe gained access to the town, there was no fear that they would give up their independence to the Government of Buenos Ayres, to the National Assembly of France, to a body of commercial speculators, or to anybody else.

LORD COLCHESTER said, that Monte Video was a very strongly fortified town, and was garrisoned by Frenchmen, Italians, and Spaniards, who would continue to hold out against Oribe, or Rosas, or any other general, so long as the walls did not tumble down of their own accord. When France and England first interfered, Monte Video was invested by the troops of Oribe by land, and was blockaded by Rosas with a naval force; the fort must have fallen if England and France had not said to Buenos Ayres, not "You are not acting in accordance with the law of nations," but "You shall not act in accordance with the law of nations;" and, in consequence of the interference of the British and French forces, the blockade was raised. He was satisfied that the people of Monte Video were not at all likely to submit to Buenos Ayres unless they were reduced to submission by force. Considering the independence of Monte Video a great national object, he trusted Her Majesty's Government would be as jealous of it when attacked by any other nation as when attacked by Buenos Ayres.

The MARQUESS of LANSDOWNE was understood to say, in reply to some observations from Lord HOWDEN, that it was provided by the treaty that the Argentine troops should withdraw, and that the only object of the British Government was to secure the safety of persons engaged in commerce with Monte Video.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, February 22, 1850.

MINUTES.] PUBLIC BILLS.—1° Money Payment of Wages (Ireland); Woods, Forests, &c.
2° Parliamentary Voters, &c. (Ireland); Elections (Ireland); Estates Leasing (Ireland); Judgments (Ireland); Commons Inclosure.
3° Party Processions (Ireland).

BRITISH ELECTRIC TELEGRAPH COMPANY BILL.

Order for Second Reading read.

MR. PINNEY moved the Second Reading of the British Electric Telegraph Company's Bill.

Motion made and Question proposed,

"That the Bill be now read a Second Time."

Mr. RICARDO said, the whole of the capital required by this Bill did not amount to 100,000*l.*, and that it was an attempt upon the part of its promoters to extort a sum of money from the Electric Telegraph Company. He should move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."

Mr. FARRER said, it was rather unusual, without a strong case being made out, that the House should refuse to send a Bill to a Committee upstairs, particularly such a one as the present, which held out a promise to afford very great convenience to the country. He hoped the hon. Member for Stoke would not persist in his opposition to the second reading, as he would have an opportunity of stating his objections in Committee.

Mr. W. PATTEN was in favour of inquiry, and would, therefore, support the second reading.

Mr. LABOUCHERE objected to a clause in the Bill, which gave limited liability to those who engaged in the undertaking; but as its promoters had intimated to the Board of Trade that they were willing to alter that in Committee, he should not oppose the second reading.

Mr. RICARDO said, the promoters of the measure had been canvassing for votes, and issuing handbills in the lobby of the House.

Mr. FARRER believed the principle of the Bill to be just and equitable, and said that, with respect to canvassing, there had been no mention of any opposition until the night before, so that there was very little time for soliciting votes in its favour.

Question put, "That the word 'now' stand part of the Question."

The House divided:—Ayes 75; Noes 12: Majority 63.

Main Question put, and agreed to.

Bill read 2° and committed, and referred to the Committee of Selection.

AUSTRALIAN COLONIES GOVERNMENT BILL.

Lord J. RUSSELL stated that he proposed to postpone this Bill; in the first place, because he thought it desirable, as there was to be a question whether there were to be two houses of legislature, or one, in the Australian colonies, that the House should have before it all the information they could possibly give up to the latest time, and that the papers which they had received should be laid before Parliament, and should be put in a shape that should bring that question especially before the House. He had received despatches that morning from our Australian colonies which it was important the House should be in possession of. He should like, as he was about to postpone the measure, that the hon. and learned Gentleman who was to move an Amendment for the purpose of taking the opinion of the House as to whether the colonies of New South Wales and Victoria should have two houses of legislature, that before the time came the hon. and learned Gentleman should lay before the House, so that it might be printed, what it was that he specifically proposed, what body was to be elected, and what qualifications the members of it were to possess. To give sufficient time for consideration, he proposed to postpone the Committee to that day fortnight.

Committee deferred from Monday next till Friday 8th March.

EMIGRANT SHIPS.

Mr. HAWES, in answer to questions from Mr. Grattan, Mr. Divett, and Lord Ashley, said, in reply to the question of the hon. Member for Meath, who referred to the treatment of some Irish orphan girls who had gone out, that papers would be laid on the table which would show what had been done in regard to the matter; the Government were determined to investigate all such cases, and to punish guilty parties with the utmost severity. In the case of the *Ramilies*, it appeared that there was no flogging in the ordinary sense of that term, as supposed, but that four women were punished by the surgeon, quite unjustifiably and severely, but in the presence of the matron and some other parties; but that when the ship arrived at her destination, in March last, the passengers made no complaint of ill-treatment to the authorities of the colony, and unfortunately all the parties received their full gratuities; but the Lieutenant Governor, seeing a statement in the local papers, caused the matter to be examined into, and the facts just referred to came out. Whether any steps could be taken here, in the absence of witnesses, he (Mr. Hawes) was not able to say.

PARLIAMENTARY VOTERS, ETC. (IRELAND) BILL.

Order for Second Reading read.

MR. NAPIER said, he felt it his duty, before this Bill was read a second time, to call the attention of the House to a consideration of some of its more important clauses. The Bill was divisible into two parts. One concerned the qualifications of electors, and the other the registration. With regard to the latter part of the Bill, he did not intend to offer any observation, because, so far as the registration of electors went, the principle of having an annual registration was a good one. Any objection that he had to that part of the Bill, was on matters of detail. But with regard to that portion of the Bill which concerned the qualification of electors, he objected to the Bill because it would alter the whole franchise of the kingdom. This Bill did away with the necessity of a beneficial interest on the part of the voter, and it made it compulsory on a man to take the franchise. The reason put forward for the Bill was, that the constituency in Ireland had dwindled away, and that unless they renovated the constituency through the instrumentality of this Bill, they would soon have no constituency at all. The population had diminished, and then they introduced the novel principle of increasing the county voters. The borough franchise was not substantially altered; but this Bill inverted the principle in which the county and borough franchise ought to stand, and did stand at the present moment. In the case of the borough franchise, no beneficial interest had ever been required; a man occupied a house or a warehouse of a certain value, and it was not necessary that he should have any beneficial interest. The case of the county franchise was different. The county franchise did not depend on a man's residence, but on his connexion with the locality in which his vote arose, and in addition to that, according to the constitution of this country, some beneficial interest had always been required of him, for the purpose of qualifying him to vote. Now, the change introduced by this Bill was, that it required no tenure whatever; but a man occupying premises which were rated to the poor-law at 8*l.* a year, was entitled to vote. In the second clause, they had an encouragement to joint occupation, which had ever been the curse of Ireland, for it caused the arrangement of property to be subservient to politics. This clause would have the effect of renewing agitation in that country, and would raise up a class of persons who would live by agitation. They were aware that an Act passed some time ago for the purpose of preventing joint freeholds; but here was a plan for giving to every joint occupier a vote, introducing the evil principle of subdivision of land. Then the third clause gave to every one who was seised in fee-simple to the amount of 5*l.* a year a vote, so that if any one bought an estate worth 100*l.* a year, he might create twenty votes out of it. Was that fair to persons who were struggling for the rights of property? Then with regard to making the rating to the poor-law the basis of qualification, it appeared to him that it required a great deal of caution. In Ireland it was of great importance to sever the poor-law from anything connected with religious or political feeling. Then, with regard to the joint occupation, there would be a constant juggle going on. They knew how variable was the valuation of property even in England; it was probably more so in Ireland. It appeared to him that the basis of the qualification ought to be the value, and not the rating. The franchise was to be given to tenants-at-will from year to year; and he appealed to the common sense of the House whether that class of persons were likely to exercise the franchise with independence? If they wanted to have a substantial class of tenants holding under leases, and if their paramount object were the improvement of the country, why, he asked, did they at this time introduce this Bill, which must have the effect of causing agitation? This 8*l.* franchise was as bad as going back to the 40*s.* freeholds. Lands would be divided and subdivided in order that political agitators might carry out their projects.

MR. HUME said, if this Bill was to do any good to Ireland, it must meet the wishes of the community there. The hon. and learned Gentleman objected to even this modified reform. His principal reason for rising was to point out to the House that this Bill could not do justice to Ireland. A franchise of 8*l.* in Ireland was equal to 30*l.* in England. Formerly 40*s.* freeholders in Ireland had votes, but they deprived them of that. He thought that to offer anything to Ireland short of an ample restitution of its privileges, was only to prolong the struggle. Why should the half-Hottentots, half-English at the Cape be allowed to vote if they were rated to the road tax? Were Irishmen less capable of exercising the franchise than they? Assuredly not. Taxation and representation ought to be coextensive; to give the Irish the franchise would tend to morally raise them, for they had been too long depressed. Looking at the melancholy exhibitions of party spirit in Ireland last year, the Government ought to be stimulated to raise the people in their moral condition. Englishmen, Irishmen, and Scotchmen ought now to be placed in the position of freemen; they should have an interest in what was good, and in putting down what was bad. This Bill only trifled with the rights of the Irish people, who at present were treated worse than cattle. He hoped the Government would take a liberal view of the matter; let them treat the Irish as they treated Hottentots.

Mr. REYNOLDS said, that this Bill could not give satisfaction in Ireland, it fixed the franchise too high. He should propose a 4*l.* franchise, if no other Member did, for it was true that a franchise of 8*l.* in Ireland was equal to one of 30*l.* in England. Although it was matter of felicitation to find that his hon. Friend the Member for Montrose was disposed to treat Irishmen at least as well as Hottentots, it nevertheless had not passed from his (Mr. Reynolds') memory that the hon. Gentleman had voted through thick and thin in favour of coercive measures for Ireland, and that the latest attestation of his affection for that country was to be found in the fact that he was going to deprive her of the only remaining plume in her national helmet, namely, the office of Lord Lieutenant. [Mr. Hume: It is no plume.] The hon. Gentleman might not regard it as a plume, but the Irish people regarded it as an entire plume of feathers, and it was a little too hard that they should be deprived of it by one who professed to be their "guide, philosopher, and friend." He (Mr. Reynolds) had attended in his place that evening at an unusually early hour, and with considerable inconvenience to himself, because he had heard that it was the intention of the hon. and learned Gentleman the Member for the University of Dublin, who had just addressed the House, to have offered a most determined opposition to the third reading of the Party Processions Bill; but he was agreeably disappointed to find that the hon. and learned Member had permitted that Act to pass without offering a single remark upon it, thereby proving that he could look on with perfect complacency while his brother Orangemen were being sacrificed. It was creditable to the hon. and learned Gentleman, and yet it was a little too bad, that he should have taken such a course after all the clamour that had been made during the last three months about Dolly's Brae and Lord Roden. Both Dolly's Brae and the noble Lord were now consigned to the "tomb of all the Capulets," and they appeared to have passed away from the memory of the hon. and learned Member as completely as if they had never been. Alas for the evanescence of all human glory! But though the hon. and learned Gentleman had nothing to say in favour of his own party, he had a great deal to say against the extension of the Parliamentary franchise; and the most comical part of his objection to the present measure was, that it would tend to increase the power of the Irish landlords. That was certainly rather a strange doctrine, coming from such a quarter. What he (Mr. Reynolds) had to complain of was, that the landlords, as things at present stood, had a great deal too much power in Ireland. The nature of the present franchise was much too contracted, for it should be remembered that, so great was the difference between the relative wealth of both countries, an 8*l.* rating in Ireland was declared by the hon. Member for Montrose to be equal to a 30*l.* rating in England. The hon. and learned Gentleman the Member for the University of Dublin approved of that part of the Bill regulating the borough franchise. The Irish people could not require a worse character for a Franchise Bill than that it should meet with the approbation of the hon. and learned Gentleman. It must be very bad indeed for them when it met with his approval. If Parliament were dissolved to-morrow, three-fourths of the Irish counties would be close boroughs in the hands of the aristocracy. The people—properly so called—would have no power to elect their representatives, and the 105 Members who would arrive in that House from Ireland would be the representatives of the aristocracy and the Protestant Church, as contradistinguished from the people. Many parts of the present Bill were susceptible of great improvement. The objection to the 8*l.* rating was not the only objection to which it was liable. The Bill was especially to be deprecated in this respect—that it placed too much power over the franchise in the hands of the barony constables, and that it left the voters almost entirely at the mercy of revisers and valuators. How did it happen that it had not occurred to the hon. and learned Member when enumerating the defects of the Bill, to specify this, which was a most egregious one, that it did not abolish the freeman system? The hon. and learned Gentleman had said not one word in condemnation of a body of voters, of the great majority of whom it might with truth be said that they had not a "local habitation," nor even "a name," inasmuch they were often known to have voted in the names of men who had passed to their long account years ago. He (Mr. Reynolds) was entitled to be regarded a very high authority on the subject of the abuses of the freeman system. It would be in the recollection of the House that a petition against his return for the city of Dublin had been presented in 1847, and, as the old phrase had it, "thereby hangs a tale," and in good truth it was to him a tale of sorrow and pecuniary tribulation. On the clerk of the peace's list for the city of Dublin in the year 1847 there appeared to be, in round numbers, 20,000 Parliamentary voters. He took up the gauntlet, as it was well known, to contest the representation of that city with the Tory and High Church faction. About seven thousand electors were polled—3,500 for him (Mr. Reynolds) and 100 more for his hon. Colleague, whom he saw in his place, and he (Mr. Reynolds) was returned by a majority of 104 over Mr. Gregory. The election was followed, as was known, by a petition. What was the allegation of that petition? Not bribery and corruption, for these were political offences of which even his most inveterate adversaries acquitted him. But they asserted that among his voters were a certain number of men who were in arrear of local taxes. The House appointed a Committee to try the merits of the election, and that Committee sat for ninety-four days. A sum of from 14,000*l.* to 15,000*l.* was expended in ascertaining whether ninety of his voters were in arrear of taxes or not. He would not say that perjury was committed, for that was a very unmusical phrase, but certainly there was a considerable economising of truth on the part of some of the witnesses against his voters. A host of lawyers and Parliamentary agents were engaged, and from 14,000*l.* to 15,000*l.* were expended during ninety-four days; and what was the object of the investigation? To ascertain whether ninety of his voters were in arrear or not. The Committee declared that they were, and they were accordingly struck off. But what was the aggregate amount of the taxes for defaulting in which all these voters were disqualified and 15,000*l.* was expended in an inquiry? It was, to a fraction, 45*l.* 17*s.* 6½*d.* Now, he thought that the present Bill was exceedingly defective in this respect, if in no other, that it did not render such an absurd proceeding impossible of occurrence for the future. He found that by the 103rd section of this Bill a power was given to inquire whether a man had been legally enrolled or legally registered on the Parliamentary roll, and this he thought exceedingly objectionable. He was sure that the majority of that House would concur with him in the opinion that after a man had passed the ordeal of the revising barrister's court, and an appeal to the going judge of assize, and had been enrolled, he should have no further trouble about his vote, and that it should not be permitted to a Committee of that House to inquire whether he had a valid title to be placed upon the roll. The great evil of the freeman system was that it swamped the property qualification. About two thousand nine hundred householders, leaseholders, and freeholders had plumped for him, and four hundred freemen had recorded their votes in his favour. Two thousand eight hundred freemen had voted for his antagonists, and thus the property qualification voters were balanced. Surely that was a most absurd and anomalous state of things, and it was desirable that something should at once be done to remedy the evil. He had often taken an active part in contested elections at Dublin, and he had always found that the freemen swamped the householders. He remembered having exerted himself very strenuously on one occasion to procure the return of the noble Lord now at the head of the Woods and Forests Department, and it had happened on that occasion that freemen of the city of Dublin were imported in cargoes from Manchester, Liverpool, Birmingham, and other manufacturing towns of England, where they had resided for years. It was noised abroad that the election was approaching, and forthwith the shout of "York, you're wanted!" swelled upon the gale, and not shipbrokers, but freemenbrokers, were employed in Liverpool by the score to send over these immaculate electors at so much per head, that they might exercise the sublime privileges of freemen in the city of Dublin; of course, those ragged freemen who were working at about 9*s*. per week came over at their own expense that they might maintain the purity of election. He was himself an advocate of something that fell very little short of universal suffrage; but he did not like the freeman system, because it had only the worst features of universal suffrage, and because it was liable to the most monstrous abuses. Nobody could ever ascertain where a freeman lived. In his inscrutable garret he could defy detection. They were a privileged class—the last remnant of what was happily now no more, Protestant ascendancy. They were, in fact, the peel of the orange, and, being exceedingly dry and flavourless, were not worth preserving. It was to be wished that the right hon. Gentleman the Secretary for Ireland had applied the axe to the root of this evil, and inserted a provision in his Bill that the freeman franchise should cease on the death of those who at present enjoyed it. But, indeed, it would be no such easy matter, after all, to define the limitation of any right that depended on the life of a freeman; for the lives of freemen were like those in beneficial leases, they never terminated. In truth, a freeman was one of the most remarkable specimens of humanity. Not only did he hand down his valuable right to his posterity by marriage, birth, and service, but he lived himself to the most patriarchal age that was possible—or rather, to speak more correctly, that it was morally impossible for a man to attain. He did not hesitate to predict that, unless the present Bill were materially improved, and its provisions materially amplified, it would not give satisfaction to the people of Ireland. He trusted that the English Members of the popular party would now come to the rescue, and insist upon such a franchise Bill being given to Ireland as would lead to the political regeneration of that country. They were fond of saying that they were ready to hold out the right hand of fellowship to Ireland, that they would meet the Irish as fellow subjects, and recognise Ireland as an integral portion of the empire. If there were any truth in their professions, let them now come forward and give to Ireland a Parliamentary charter, which would give the creator of wealth, as contradistinguished from his destroyer, a potent voice in the election of the men who were to represent him in that House. Far be it from him to say that the people of Ireland were not properly represented at present. The present company were always excepted. He was not going to bring an old house about his ears by insinuating a doubt that the 105 Irish Members in that House were—with the solitary exception of himself—one and all of them eminently qualified by position, talent, integrity, and erudition, for the distinguished positions they occupied; but surely it was to be regretted that more of their neighbours had not the power of recording at general elections the high sense they entertained of the virtues and accomplishments of such admirable individuals. If that House wished to make Ireland what she ought to be—not a drag chain on England's prosperity, but an auxiliary in her train, swelling her triumphs and adding permanent stability to her empire—they could not adopt a better course in order to the achievement of that glorious result than to give to the people of Ireland a voice in the election of their representatives. In conclusion he begged to give notice that when the Bill was in Committee he should move the insertion of a clause to enable all persons rated to the relief of the poor in Ireland, in however small a sum, whether in cities, towns, or boroughs, to be enrolled on the Parliamentary roll.

Sir J. B. WALSH said, the speech of the hon. Gentleman, the Member for the city of Dublin, convinced him that the hon. Member for Montrose was right when he said the Bill would not satisfy any party in Ireland. It disappointed those who were represented by the hon. Member for Dublin, and it excited grave apprehensions on his (Sir J. Walsh's) side of the House. The political effect of the measure would be to increase the numbers and alter the character of the Irish constituencies. An Irish farmer of 8*l*. a year was quite destitute of the property qualification intended by the Irish Reform Bill. If the noble Lord at the head of the Government once set such a stone rolling, it would be impossible for him to stop it. England would come with similar claims, and would break with redoubled force the barrier of finality which the noble Lord had once adhered to. It appeared to him that the present measure was based upon an allegation that the constituency in Ireland had of late dwindled exceedingly; but they all knew the cause of that, and, if property were now jeopardised in Ireland, was that a reason that the present time should be considered less fitting for an examination of the state of the franchise? In his opinion, however, the true way to enlarge the franchise was not by extending the suffrage, but by using all practical and expedient measures with a view to aid the people in the acquisition of property, or by a reconstruction of those classes to which the franchise had been originally given by the constitution. As to the present Bill, he feared that it was little better than a return to the old 40*s*. system. It was admitted on all hands that the effect of the measure would be to double, to treble, perhaps to quadruple the constituency. In Antrim the number would be raised to 22,000; in Kildare to 10,000, and so on; the Protestant minority would be thus entirely extinguished. But they should recollect that there were two great parties in Ireland separated by religious and political sentiments, which it should always be the object of Parliament to blend together as much as possible. There was the Protestant minority, wealthy and respectable and intelligent; if they were extinguished under that Bill, he feared that it would be extinguishing for ever the voice of the Protestant part of the community. Although he wished to see religious differences healed in that country, he still greatly feared that the tendency of such a measure as the present would be to destroy the Protestant influence in most of the counties of Ireland. He begged of the House to look at its probable effect upon the question of repeal of the Union It was to be apprehended, if such a measure as the Bill then before them passed into a law, that a great number of Irish Members would come into that House pledged to vote for "repeal," and that which had been the feeling of a section of the Irish Members would soon become the feeling of a large majority. If the representatives of the people of England assembled in that House wished to retain their great and glorious constitution, they would strengthen it by resisting democratic innovation. By a step of the kind which they were now recommended to take, they would, instead of strengthening the constitution, most materially weaken it; for the effect of such a measure must be very materially to increase the democratic element in the conduct of public affairs in Ireland—an element which he by no means thought favourable to freedom there, and with reference to England he held the same opinion. He had always contended that there was great danger to liberty, to justice, to civiliastion itself, and to all the blessings which we enjoyed, not from monarchy, nor aristocracy, but from the pressure of democracy. He would ask, had democracy proved favourable to liberty in France? In that country they were at the present moment defending society itself by the force of the bayonet. Prudence, then, suggested to them the expediency of postponing such a measure till they could ascertain for themselves that they were in no danger of calamities similar to those which had befallen the people of France. He wished that the opinion of the House might be tested on the second reading of the Bill, for he did not intend to offer any opposition on going into Committee.

Mr. M. J. O'CONNELL stated, that he, as a county Member, was quite willing to accept the measure as far as counties were concerned, but he hoped that, so far as boroughs were affected, the Bill might not pass in its present form; he trusted, at the same time, that the eventual success of the measure would not be hazarded by unfairly pressing the objections which existed against it. The case of boroughs differed very materially from that of counties—for example, in boroughs an 8*l*. valuation showed a 12*l*. rental. It was well known that in house property the tendency of all valuation was to fix property at amounts below its real worth. As the franchise in England and Scotland was higher in counties than in boroughs, so he should, judging from analogy, say that the same rule ought to apply to Ireland. Not that he would make the county franchise higher than by the present Bill it was proposed to be made, but he would make the borough franchise lower. He would further add, that as far as he had any opportunity of judging, nothing worked well that depended on the poor-law valuation. The hon. Baronet opposite, who spoke last, said much about the dangers which were to be apprehended from the encroachments of democracy; but he (Mr. O'Connell) was not afraid to vote against any measure which he really believed to amount to a democratic encroachment. He trusted that he was as warmly attached to the Queen's Government as any man in that House; but he held that the true mode of preventing democratic encroachments was to make wise and timely concessions.

Captain TAYLOR thought the 8*l*. rating for the county franchise too low, and considered a 25*l*. rating would be preferable, although he admitted that the poor-law rating in Ireland was at present most defective. A return made on the Motion of the hon. Member for Londonderry last Session showed that an 8*l.* rating in Ireland would give to the county which he (Captain Taylor) represented (Dublin), a constituency of 28,809 voters, which must be admitted to be very much like universal suffrage. There could be no question that the tendency of this Bill was to make the towns swamp the rural districts, and he thought the county constituency should principally consist of the farmers and yeomanry, and not have an overwhelming admixture of manufacturing and shopkeeping population. The registry of voters had greatly diminished in Ireland, but an immense number of qualified persons in every county objected to register themselves, and therefore he thought the clause in this Bill making registration compulsory on every qualified person highly objectionable. It had been said, that this Bill would increase the present constituency fourfold; but looking at its effect in his own county, he thought that estimate under the mark. The Bill was objectionable because it would make the lowest classes of the population three-fourths of the whole constituency. He begged English Members to examine this Bill, although it bore an Irish title, because the next step would be to apply it to England. If its effect should be to return ninety Members to the free-trade side of the House from Ireland, they might depend upon it the same object would be sought by extending it to England. He hoped the Bill would not be hurried, and that the right hon. Baronet the Secretary for Ireland who introduced it, would consider an early day after Easter most convenient for going into Committee.

Colonel RAWDON considered that no less a measure than this could remedy the great defects in the condition of the Irish constituency. He could not help observing that the hon. Member for the city of Dublin had been excited even to anger by certain portions of the Bill, while the hon. and gallant Member for the county of Dublin insisted upon a 25*l.* qualification; and several other opinions were expressed with regard to the measure, which showed how difficult it would be for any Minister to collect the opinion of the House of Commons. Now, he would say that there was very little reason for so much difference of opinion. The popular concessions which it was intended to convey, were by no means so large as to excite any just apprehensions. Some might think the Bill went too far, while others did not consider it went far enough. Now, he thought that Government were taking a medium course; and he could not refrain from expressing a hope that hon. Members would consult the interests of Ireland by not pushing their respective opinions too far. He saw that the Bill was already in danger; but he hoped that, by moderation on both sides, they would give the country some chance of getting a good measure.

Sir J. YOUNG approved generally of the principle of the Bill, one of the chief merits of which was that it made the registry system self-acting, and gave the franchise to a person having a certain amount of property. The decrease in the registry was no new thing in Ireland; it was observed as far back as 1838, and one main cause of it was basing the county franchise upon the lease of the tenant, instead of upon his valuation. He believed the effect of an 8*l.* rating instead of a 10*l.* rent would be to decrease the number of voters; and he therefore thought an 8*l.* rating a very dubious step in the counties. He should go more largely into detail on the measure when it was in Committee.

Mr. F. O'CONNOR approved of this measure, as most opportune and necessary. He looked upon it, not as a measure of principle, but of policy. The promoters were afraid that, unless the county constituencies were enlarged, Ireland would return a majority of Protectionists; but they felt perfectly secure of the towns and boroughs. When the hon. Baronet the Member for Radnorshire talks of the rapid strides of democracy, he must tell him that the landlords of Ireland had always measured their property by the standard of political power, rather than by the public necessities and the State requirements. It was the resistance of the landlords to the development of the generous mind of the people of Ireland that had driven the people to a wild democracy; and he would tell the landlords that until the present system of quibbling government was done away with, we would never see the only proper and sound system of government established—a system of pure democracy. The landlords of Ireland could not say they were in the same position as the landlords of England: the English landlords were gentlemen, the Irish landlords were tyrants. He accepted this measure, because he believed that shortly the same measure of justice must be dealt out to the people of England. Talk of a *25l.* rating for Ireland! Did the hon. and gallant Member for Dublin county know that 36,000 voters were the whole constituency of Ireland? Why, the West Riding of Yorkshire alone had a constituency of 36,000 persons, and returned only two Members; so that the same number as sent to that House two Members in one case, sent 105 Members in another. Was there ever a greater anomaly? The Irish landlords always made themselves tools to a Government; and he would ask, did they ever know anything more absurd and anomalous than the paltry subserviency to a Minister which the Irish Members had shown last night, when they refused to relieve Ireland with 500,000*l.* out of the Consolidated Fund, at the same time that they accepted a grant of 300,000*l.* The Irish landlords came with weeping and wailing and gnashing of teeth, and yet said they would not take what their country wanted, merely because they wished to support the Government. He thanked the Government for this measure. He had not much certainly to thank any Government for; but he regarded this Bill as a step in the right direction.

LORD C. HAMILTON thought that some feeling of modesty on the part of the hon. Member who had just spoken, might have prevented him from making such a sweeping attack upon the landlords of Ireland. Although they might have some faults, he would appeal to the House whether their treatment of their tenants was not somewhat better than the mode in which the hon. Member had treated the inhabitants of Snigg's End? [Mr. O'CONNOR: My tenants pay no rent at Snigg's End.] He would admit that the representation required extension, but the House might run somewhat rashly into the other extreme. One of the main causes of the present limited number of voters in Ireland, was the extreme apathy on the part of many persons who were qualified to be on the register, but who failed to take advantage of the privileges which the existing law placed within their reach. From whatever cause it arose, there was at present a disinclination on the part of persons of all religious creeds, of all political parties, and of every station in life, to place their names upon the registry. This was one of the most remarkable symptoms of the present social state of Ireland. The number of voters at present on the registry might be, he believed, quadrupled, if all those who were entitled to vote had placed their names there; and he wished that no man should have his name placed on the registry against his will, and he should like to see the Bill modified to this extent, that the name of no person should be registered without his own consent. The possession of the franchise frequently placed individuals in an unpleasant position, and in many cases the Irish voter was too much the slave of another man to be able to give his vote independently. He feared that the Bill might have a mischievous effect in perpetuating a system of continued turmoil and discontent in Ireland, which would utterly destroy any benefit that an enlargement of the constituency might confer. It would be much better gradually to train up the people to the exercise of the franchise.

Mr. BRIGHT said, that he was glad to find that there was a general understanding on the other side of the House which amounted to a general acknowledgment that some Bill of this nature was necessary, and that they had come to the conclusion that the condition of the representation in Ireland, which some years ago they would not allow to be amended, now required some improvement to be applied to it. But from observations which fell from hon. Members on the other side, he was induced to believe that they were disposed to make the offers of the Government much smaller than they were. Some of the propositions made by them were of a most extraordinary character. The hon. Member for the county of Dublin expressed a desire that the amount of rating to confer the qualification should not be less than *25l.*; and from that, it would appear that the hon. Gentleman did not feel that he had a very firm hold on the sympathies of the population of the county. He agreed with the observations which had been made as to the faults of the Bill with regard both to the county franchise and the borough franchise; and he considered that no sensible reason could be given why the franchise should be the same for boroughs as for counties. The sum there fixed afforded no criterion of what would be the extent of the increase of the franchise. One point to which he wished to allude was, that the right hon. Baronet the Secretary for Ireland, and his friends, were desirous to attach some of those restrictions to this Bill which were found in England to have given rise to so much evil, and which he was sure the noble Lord at the head of Her Majesty's Government would remove as soon as he should bring in a Bill on the subject with reference to England. It appeared that no occupier would have a right to vote until he should have been twelve months a resident, and no owner would be entitled to a vote unless he should have held the property for six months. The only object in rendering it necessary for the occupier to have been a resident for twelve months, was to prevent fraud by persons becoming occupiers for the purpose of obtaining the franchise to enable them to vote at a particular election. If by a six months' occupancy they secured a guarantee against fraud of that kind in one case, why should not the same period answer in the other? It would be found also that there was a deception in the Bill, for the terms laid down in it made it requisite for an occupier to have held the tenements for sixteen months—a period of four months longer. He asked the noble Lord at the head of Her Majesty's Government, if he were going to give the franchise to a man who happened to be a proprietor in Ireland at an 8*l.* valuation, not a fraudulent but a *bonâ fide* occupier, why, if he admitted that such a man should have a vote, should he be thus needlessly restricted by the present Bill? Therefore, in his opinion, he thought the noble Lord ought, on going into Committee, to consent to a considerable alteration of the Bill. The six months' residence was as long a period as ought to be asked, because it gave a sufficient guarantee against a fraudulent occupancy. As regarded the rating franchise, or rather a franchise depending on a particular amount of assessment, bad as he considered that to be everywhere, he considered it would operate unfavourably in an especial degree in Ireland. By that system the noble Lord would allow to every board of guardians the power of lowering or raising the franchise qualification to a great extent. The guardians might raise the rateable value so much that it would approach the amount of rent, or, in the opposite way, lower the rateable value until it came to not more than 50 per cent of the rent. He thought it desirable in remodelling the franchise to adopt a principle that would have the effect of preventing such injustice as might arise in that way. In his opinion it would be better if the franchise were based simply on the rating, to which system they would eventually resort, and that the payment of rates should not be an element to be considered in the extension of the franchise for election purposes. There was another point to which he begged to invite attention. He had observed in many places, in Manchester particularly, if he were to take the interval between 1839 and 1842, a period of great manufacturing distress, the Parliamentary franchise was greatly diminished, because, owing to the depression of the period the poor-rate was increased, as also was the rateable value of property; and consequently many industrious, hardworking, and struggling men whose rates were thus increased—no matter how they struggled to retain their position—were in many instances, by the operation of the Bill, struck out from the enjoyment of their right as Parliamentary electors. The noble Lord at the head of Her Majesty's Government might rest assured that before long, he would have to bring in a Bill for Parliamentary reform for the united kingdom. He was not going to say that there existed at present any very pressing or extraordinary demand in the country for such a measure. But the man was not worth arguing with, who believed that the representation in this country could be long maintained, without considerable changes. He did not believe it beneficial to the interests of the country, that such anomalies should exist as at present prevailed in the representation of the country. Whenever the noble Lord should bring in such a measure, he would find it so out of harmony with the measure he was then introducing as regarded Ireland, that he would find it necessary to have another Bill to succeed as well as to supersede it. If he (Mr. Bright) were in the position of the noble Lord, he would make such a change now in Ireland as would establish representation there on such a basis as to enable him to stand upon it at a future period, when he might find it necessary to remodel the representation of this portion of the united kingdom. The noble Lord who had last addressed the House, adverted to the compulsory registration system, and deprecated it, on the ground that great numbers of persons should not be compelled to register and exercise the franchise. Of course, he (Mr. Bright) was aware that there were men who were under compulsion; on the one hand, under the compulsion of the landlord; and, on the other hand, under the compulsion of the priest, and who, were their names off the franchise roll at the period of the election, would escape the disagreeable necessity of voting. But what of that? Surely a man was not asked whether he was willing to serve on a jury, or perform the other duties which the constitution of the country confided to him to perform? Therefore, it was monstrous to call in a man and ask him if he wished to be on the franchise list or not? With regard to the independence of the elective body in Ireland, what ought to be done there would be to give them the right to vote by ballot. He had been speaking on the question to a priest in Ireland, who possessed great influence, and he did not deny the influence exercised over the electors. In fact, no man could deny that the priests in Ireland frequently exercised an unhealthy influence over the exercise of the franchise; and no man, he should say, was more willing to admit the same than the priests. But the circumstances of the unfortunate people were such, that they had no friend to look to but the priest. He administered temporal assistance and protection, as well as spiritual advice and consolation — the priest was the adviser and counsellor of the people, and the influence which he, consequently, possessed and exercised might be regarded as a duty from the performance of which he had no escape. If the landlords, by reason of their territorial station, exercised great influence in one way, and the priests exercised it in another form, then, in his opinion, the Government seeking to improve the mode of giving expression to public opinion would do well to establish an easily worked system, the system of vote by ballot, which would enable all classes and parties to put into practical effect their privately-entertained opinions in an honest and independent manner. The noble Lord at the head of the Government had brought in a Bill for the better government of the colonies, abounding with numerous phrases and provisions, such as are considered extreme, when it is proposed to apply them in this country, one of which guaranteed a representative to every 15,000 men of the population. Another clause in the colonial constitution about to be framed pointed out the steps necessary to be taken for ensuring the free and impartial expression of opinion by public election, and the impartial exercise of the franchise. Now, in no country on the face of the earth was such a protection more needed than in Ireland, for unless they had a very large constituency, or the protection of the ballot, there could be no free expression of opinion; and he was of opinion that if the Members of that House did not believe that election by ballot would have the effect of rendering electors independent, by removing them from the influence of the wealthy and powerful, they would have no objection to yield that mode of voting, and, consequently, remove the evils connected with the present elective system, which occasioned scenes in Ireland, as well as England, disgraceful, not alone to the Government, but to the whole country. He did not wish to be understood as denying that the present Bill would be an improvement. He knew not how far the noble Lord was determined to adhere to it; but he wished to assure him that he could not adopt a course more fatal to Ireland and to the Government, than to listen to the suggestions of hon. Gentlemen opposite, whose only wish was to make the Bill less effective than it stood at present. He regretted the noble Lord had not introduced a bolder measure. However, as it stood, all the support that he (Mr. Bright) could give to all that was good in it he would freely accord, because he felt certain that the only way to really unite and consolidate both islands, in a permanent and lasting unity, was to rule them similarly, and to do more justice to Ireland, economically, ecclesiastically, and politically, than had been done by previous Governments.

MR. GROGAN hoped the Government would not follow the suggestions of the hon. Member for Manchester, and refuse to listen to suggestions, simply because they came from that (the Opposition) side of the House. He thought that it should be necessary to make application before a man was placed on the registry, in order to prove that he had a desire to be upon it; for he thought it highly objectionable to put a man upon the roll contrary, it might be, to his own wishes. A distinction should be made in the Bill betwixt a man having occupation under a lease, and one who was merely a yearly tenant, in order that encouragement might be given to the granting of leases. He must say, also, that he thought 8*l.* in counties was rather too low an amount. They were all aware of the mischievous effects of the old 40*s.* freehold in Ireland—how it led to the subdivision of land to an extent that the country was suffering from at this day;

and he was afraid that taking so low a franchise as 8*l.*, would tend to a restoration of the abuse. An hon. and gallant Friend had suggested that in counties the franchise clause be fixed at 25*l.*, and, considering that in England it was 50*l.*, he must say that 25*l.* in Ireland could not be regarded as too high. A few years ago they passed a law against subletting, in consequence of the many evils which attended that system; but by the present measure they would hold out a direct bonus to subletting, because, if a person had an occupation, say to the extent of 40*l.*, he would have the power of dividing it into five portions, in order that that number of individuals might be put upon the registry. In boroughs, he thought very great facility would be given for putting persons on the roll. By the present law there were seven or eight taxes that a man must pay before he could be registered; but there was not a single word about taxes in this Bill further than that he was not to be more than six months in arrear of the poor-rate. A man rated at 8*l.* had half his rates paid by the landlord, so that in many boroughs the sum paid would be very trifling indeed; not more than 2*s.* His hon. Colleague had objected to the freemen of Dublin; but he must be well aware that on the roll of freemen the highest class of judges, and all the professional classes, were to be found, constituting the great mass of the intelligence of the city. He thought it was ill-judged on the part of the hon. Gentleman to attack the freemen, seeing that, as Lord Mayor, it would be his duty to examine into the right of persons applying to be registered as freemen.

Mr. W. FAGAN did not rise for the purpose of entering into the merits of the Bill then before the House, but to entreat his right hon. Friend the Secretary for Ireland not to accede to the wishes of hon. Gentleman opposite to postpone the Bill. It was evident from the discussion that had taken place, that those hon. Gentlemen at the opposite side of the House intended to give the Bill the most determined and vigorous opposition. For two years they had had the present Bill postponed, and he could state that the consequence had been to diminish the franchise very considerably. In the city which he had the honour to represent, the franchise had decreased in the last two years, in consequence of the feeling of the people that the Government intended to introduce the present Bill, and in consequence of that impression they declined entering into the difficult pursuit required by the Act of Parliament, and therefore they allowed their franchises to fall away. If his right hon. Friend should accede to the wishes of Gentlemen on the opposite side, and postpone the Bill until after Easter, they would not obtain the measure in the present Session, in consequence of the opposition that would be given it on the other side of the House, as well as the opposition it would be certain to encounter in the other House of Legislature. If they could succeed in even getting it at the eleventh hour, he doubted not it would be in so mutilated a condition that it would not be worth acceptance. He should be permitted to observe that he was not, as the representative of a city, so favourable altogether to the Bill. He confessed and admitted he would rather the present system, as regarded cities, was continued, than that the 8*l.* franchise was adopted. He foresaw in his own city it would rather diminish than increase the franchise. He knew because he witnessed it at the registration in that city, that persons paying 10*l.* rent were rated as low as 5*l.* to the poor; and if they gave the revisors elected by the poor-law guardians control over the franchise, by means of valuation, they might be certain the franchise would diminish much lower than at present. Therefore as far as regarded cities, he was of opinion that an 8*l.* poor-law franchise would not increase the number of voters; on the contrary, he anticipated that, unless the second clause giving a double voting tenement would increase it, it would materially fall off. He admitted that in the counties the effect would be different; but, at the same time, a vast deal of power would be thrown into the hands of the landlords, much more than they possessed under the present system. Notwithstanding, he called on the right hon. Gentleman not to postpone the measure, but press it through, because the people of Ireland, having no franchise at present, were anxiously expecting it. The number who enjoyed the franchise in Ireland did not exceed 36,000. Indeed, he doubted if it amounted to that number; so that it might be said the constituency of the hon. Member for the West Riding of Yorkshire numbered as many as all Ireland. The present Bill was intended more or less to revise the constituencies of Ireland, therefore he hoped after waiting for the measure for over two years the Government would press it forward, and not wait the convenience of hon. Gentlemen at the opposite side of the House, whose duty it was to be ready and in attendance at all times. The noble Lord the Member for Tyrone stated that, from his knowledge, the people were not disposed to register. He (Mr. Fagan) admitted that at present, with the franchise in its very limited condition, the people were not disposed to register, because the possession of the franchise was an expense and an annoyance instead of a benefit, inasmuch as its possessor was placed between two fires. On one side, if he went with the landlord, he ran the risk of popular displeasure; whilst, on the other hand, if he obeyed the dictates of his conscience, he ran the risk of being oppressed by the landlord. They all had heard or read of Irish elections; for instance, the election at Carlow, where the people were persecuted for acting conscientiously, which could not have been the case but for the unfortunately limited state of the franchise. The only mode that could be adopted to protect the voter was to extend the franchise, and then the people would be disposed to register. He agreed with his hon. Friend the Member for Manchester, that it was not necessary that persons should express a desire to be placed on the registry. On the same ground that a man was summoned to serve on a jury, or discharge any other legal or political duty, a man should be placed on the registry, and allowed to exercise his privilege as his feelings and his conscience dictated. The hon. Gentleman opposite, the Member for the city of Dublin, appeared to object to all the clauses of the Bill; but he did not state what he would substitute in their stead. He admitted that Ireland needed some improvement, and therefore, with great submission to that hon. Gentleman, and respect for his talent and ability, he (Mr. Fagan) should say the hon. Gentleman came forward with a most lame case in objecting to what was proposed, without suggesting anything in its stead. He fully agreed with the other hon. Member for Dublin as regarded his view of the position occupied by the freemen. As long as the payment of taxation to qualify for the franchise was recognised as an element necessary to the principle, so long should men who are untaxed and non-resident—save within seven miles of the city—be excluded from the privilege. He did not see why these men, who were the remnant of the old corporations—the old dominant and ascendancy men—should be permitted to enjoy, untaxed, the privilege that others paid dearly for, both in trouble and pecuniarily. There was no disposition, however, on the part of the Government to interfere with them at present. One more observation, and he would conclude. He was anxious to state, in reference to one expression that fell from his hon. Friend the Member for Manchester—namely, the "unhealthy influence of the priesthood in Ireland"—that such was not the effect of their influence on the people. On the contrary, it had been most healthy and beneficial; and the landed gentry were indebted to their influence for the tranquillity and order that prevailed, as well as for the exhibition of those moral and social virtues that characterised so eminently the Irish people. He was sorry his hon. Friend had made use of the expression. Indeed, he felt he must have used it inadvertently, because from his (Mr. Fagan's) experience—and he possessed much, as living a great deal amongst the rural classes of his countrymen—he did not think the language of his hon. Friend, as regarded the influence of the Irish clergy, at all justified.

SIR J. TYRELL deprecated the course taken by the last hon. Gentleman, in anticipating so early determined opposition from his (Sir J. Tyrell's) side of the House. In reference to the statement made by the hon. Member for Manchester of the unhealthy influence of the Roman Catholic priests, he (Sir J. Tyrell) would read a few extracts from the evidence given by a Roman Catholic priest who was attached to the management of a large property in the Kenmare union, and who was brought forward by the Government in the Committee on the poor-law as a witness to whose evidence they attached great weight.

VISCOUNT CASTLEREAGH rose to order. He appealed to his hon. Friend whether it was proper that he should go into such a question during the debate on this Bill.

SIR J. TYRELL could assure the House that he would only address them for a few moments. This was a question with regard to a new Reform Bill, for there was an extension of the suffrage proposed for Ireland. The hon. Member for Manchester had stated that the influence of the Roman Catholic priests was very great, and the hon. Member for the city of Cork denied that view of the case. The Government, wishing to show the social condition of Ireland, produced before the Committee a

Roman Catholic priest; and if the House bore with him while he read a few lines of his evidence, they would see it was not beside the question. It was the evidence of a Roman Catholic priest before the Poor Law Committee, and the Government influence in that Committee had been able to keep out that evidence by a majority of one.

MR. O'FLAHERTY must appeal to the Chair. This was going beyond the question. He was a Member of the Committee, and could say that the witness was not brought forward by the Government at all, but by the hon. Member for Kerry, and he came forward voluntarily.

MR. SPEAKER: The question is whether this evidence was reported to the House. As I understand the hon. Baronet, the evidence was not reported to the House: a majority of the Committee decided that it should not be reported to the House, and in that case it cannot be made use of here.

SIR J. TYRELL did not say it was evidence, but it was undoubtedly the opinion of a person of great influence and importance, as a Roman Catholic priest, with respect to the social condition of the Irish people, the cultivation of the soil, and the conduct of the Marquess of Lansdowne.

VISCOUNT CASTLEREAGH would again appeal to the House whether the hon. Baronet was in order in making this statement?

MR. SPEAKER: I am listening to the explanation of the hon. Baronet. It appears to me that this was evidence offered to the Poor Law Committee, and it was decided by a majority of that Committee that it should not be reported to the House; and there is no question about it that the hon. Baronet cannot use that evidence.

SIR J. TYRELL: I don't set my authority against you; all I say is, that this was proposed to be evidence.

MR. SPEAKER: It may have been offered as evidence; but if it were not reported, the hon. Baronet cannot use it.

SIR J. YOUNG begged to say, as chairman of the Committee, that the hon. Baronet was under a mistake.

SIR J. TYRELL: If they refused to hear a few sentences from this Roman Catholic priest's evidence, he would withdraw it, but on some future occasion he would bring it forward. He could well understand the extreme anxiety of hon. Gentlemen opposite not to hear the observations he had to make; but in passing a measure of this kind it was important that the public should not be kept in ignorance of the influence exercised by a Roman Catholic priest.

VISCOUNT CASTLEREAGH wished to ask his right hon. Friend the Secretary for Ireland whether it would be possible—in order to afford them information as to what the probable number of the constituency of Ireland would be—to lay on the table, before they went into Committee, any papers that could be obtained, possibly through the poor-law guardians, showing them what the constituency, in counties under an 8*l.* franchise, was likely to be? They had a statement from the hon. Member for Dublin of the number of the constituency of that city; and it would be well if they could hear what constituency they were likely to have to deal with. They also had heard that the present county constituency of Ireland was but 36,000, and that was a ridiculous amount. It was evident that some great measure was required, but, at the same time, he was sorry to see that Ireland was to be made the experimental ground. Before long it was probable that some measure of reform must be applied to this country, and it was objectionable that such measures should not be simultaneous with the one introduced for Ireland. The hon. Gentleman the Member for Manchester proposed that another experiment should be tried in Ireland, namely, that the ballot should be given to Ireland. On that question, also, it was objectionable that Ireland should be made an experimental ground.

MR. MONSELL said, a suggestion had been made for establishing a difference in the qualifications of persons possessing leases, and those possessing none. The reason assigned for that suggestion was an anxious desire that the people of Ireland generally should have leases. One of the chief reasons why the number of voters in Ireland had been so greatly decreased was, that the landlords had refused to give leases to their tenants, in order to prevent them from having the privilege of voting. He hoped that the suggestion he had mentioned would not be adopted by the Government. [The hon. Gentleman then read an extract from the report of a Commission sent into Ireland during the period of Lord Stanley's holding office as Secretary for Ireland, which stated that the number of leases, in every part of Ireland visited by the Commission, was very small, and that there was a very general indisposition on the part of the landlords to grant leases, as they did not wish that their tenants should possess votes.] His experience of the north of Ireland showed him that the same indisposition to grant leases existed quite as strongly, if not stronger, at the present day. He was strongly in favour of another suggestion, which had been made by several hon. Members, for taking the power of making the valuations out of the hands of the poor-law guardians. Such a step would only produce a considerable amount of excitement and confusion; some districts would be rated high, and other districts low. He entreated the Government that there should be no delay in proceeding with this Bill.

MR. SADLEIR entirely concurred with his hon. Friend the Member for the county of Limerick in entreating the Government not to delay this Bill. The disgracefully small number of persons possessing the franchise in Ireland required that this Bill should be passed without delay. The present Bill was literally a transcript of the one before the House last Session, and yet hon. Gentlemen opposite were desirous of postponing it on the ground of surprise. Many districts of Ireland were almost entirely deprived of the franchise. In the county of Tipperary, which possessed a population little under 500,000, the number of persons entitled to vote was scarcely 400; and those 400 voters consisted principally of clergymen of the Established Church and rent-chargers. He was astonished how any hon. Members could argue that this Bill would tend to lessen the number of leases granted in Ireland. Hon. Gentlemen must know perfectly well that in a large portion of Ireland the conservative party, the chief proprietors of land, had been induced to withhold, on political grounds, from their tenants the protection and security of a lease. He thought this most injurious to their own interest, for it was a great bar to any improvement in the agriculture of Ireland. The Bill must necessarily encourage the system of granting leases in Ireland, and in conjunction with the other measures proposed by the Government and co-operating with them, it must necessarily encourage agriculture and industry in that country. He was surprised that hon. Members should have lost sight of the fact that the Irish people were, from the successful operation of a system of national education, eminently qualified to possess and properly to employ the franchise. He believed, therefore, that there need be no apprehension of evil resulting from an extension of the suffrage being misused by them. He entertained very serious objections to some of the details of the measure; he thought that several plain and practical matters were proposed to be carried out in a very complex manner, which might easily be replaced by a much more plain and simple machinery, but he had no intention whatever to carp at the principles the Bill laid down. It was a step in the right direction, and by increasing the number of persons possessing the franchise in Ireland, it would improve the present state of things in that country. The Bill, though it would increase the number of voters in counties, would diminish the constituencies in boroughs, and Government could easily obtain authentic returns to prove that his statement was correct on this point. A return of the number of persons who would be entitled to vote in boroughs under the new law, would, he believed, fully confirm his statement. The Bill proposed to confine the franchise to all persons possessing a fee-simple or inheritance of a rateable value of 5*l.* He was not prepared to say that it was advisable that the county constituencies of England should be overrun by a large class of artisans who had purchased forty-shilling ownerships in fee, irrespective of occupation; but he should be glad to see a system of forty-shilling freeholds with occupation established in Ireland. Allusion had been made to the unhealthy influence exercised by the Roman Catholic clergy in Ireland; but it should be remembered, that while the clergymen of the Established Church possessed the franchise, the Roman Catholic and Presbyterian clergy were excluded from it. He implored the House to proceed in a true spirit of religious equality, and extend the franchise equally to all, and then there would be no complaints of unhealthy influence being exercised by any one particular class of clergymen in Ireland. He entertained several objections to the details of the Bill, but would abstain from putting those forward until the Bill should be in Committee.

MR. O'FLAHERTY, without pledging himself to the details of the Bill, thanked the Government for bringing forward such a measure. He trusted the Bill would not be postponed, but that the constituency of Ireland, now nearly extinguished, would be renovated as soon as possible.

MR. KEOGH did not think any one could hesitate for a moment in saying that some such measure as this was absolutely necessary, on looking to the returns before the House. The population of England, at the present moment, was 15,000,000, and the constituency was 796,000. The population of Ireland was 8,175,000, and the constituency 72,796. So the population of Ireland was more than one half the population of England, and the constituency in proportion to each million in England was 53,000, while the proportion to each million in Ireland was somewhat about as many hundreds. Now, let them take the return of all persons entitled to the franchise under the present Bill. The entire amount of the constituency, if every person paid up the rates, would be 374,000. So that, supposing every person entitled in point of value should be put on the register, still there would not be a constituency in equal proportion to the constituency of England, considered relatively with the population of England and Ireland. That statement, he thought, should calm the feelings of those persons who thought the constituency of Ireland would be too large, and they might deduct from that 374,000 fully one third who would disqualify themselves by not paying the rates. With respect to the borough franchise, it had been said that the proposed franchise was too high. He considered, however, that it was impossible, consistently with the principle adopted of payment to the poor-rate, that the franchise could be made any lower. At present, it was very limited indeed. In Cashel the constituency was only 150; Downpatrick, 120; Ennis, 114; Lisburn, 164; Portarlington, 177; and Athlone, not more than 350. Some alteration was imperatively called for, and he would at all times be found ready to support any measure which sought to place upon a broad and substantial footing the constituencies in Ireland.

SIR W. SOMERVILLE said, he had listened attentively to the remarks that had fallen from both sides of the House with reference to this measure, and it appeared to him that there was scarcely any one of them which did not apply rather to its details than principle: he said, "scarcely any," because his hon. and learned Friend the Member for the University of Dublin did, he thought, take exception to the time at which the measure was introduced, and he also objected to it on the ground that the franchise which it proposed to give was founded on the rating of the poor-law. His hon. and learned Friend had said, "Where is the use now, when everything is quiet in Ireland, when the people are thinking of other things, to disturb the public mind by the introduction of a Bill respecting the franchise?" Now, he (Sir W. Somerville) would undertake to say, that if agitation had been rife, or if the public mind had been disturbed, the language which his hon. and learned Friend would have used, in opposition to this measure, would have been, "Why, you are yielding to clamour, you ought to wait till the public mind is pacified, and then come forward with your measures." It appeared to him (Sir W. Somerville) that there could not be a better time for considering a measure of this kind when the public mind was calm, and when they could enter into the consideration fairly, and with a *bonâ fide* intention of doing that which was reasonable and right. He was quite certain that the more the details of this measure were considered, and the more the proposals of the Government were discussed by Gentlemen on both sides of the House, the sooner would they come to the conclusion that this proposition of the Government was fair and reasonable. His opinion of the great advantage of this Bill was, that it placed the franchise on the basis of the poor-law rating. He could not agree with hon. Gentlemen who imagined that the conjunction of the franchise with the lease had been the principal means hitherto of preventing the landlords of Ireland from giving leases to their tenants. This measure would create, as it were, a uniformity of franchise throughout the country. But what was the case at present? Why, in one corner of a county there might reside a landlord who had been in the habit of giving leases to his tenantry, and there would consequently be a large number of voters there, crammed together in one spot. But if they traversed that county, they would, perhaps, not find a single person who had the franchise, until at length they might find some other landlord residing at the opposite side of the county, who had the good sense to give leases to his tenantry. Now, he thought that if the voters were distributed more generally throughout the country, it would be a great means of preventing the exercise of that undue influence or intimidation which hon. Gentlemen on the other side of the House seemed to apprehend. It was impossible at present to meet the objections which had been made to the present system of poor-law valuation. With regard to the question of the noble Lord the Member for Down as to the number of voters that would be created under this measure, he would beg to refer him to the last population returns from Ireland which had been laid on the table of the House, as they were sufficiently correct to enable him to solve his question. With regard to the details of the measure, he (Sir W. Somerville) thought it would be advisable to reserve his explanations until the next stage. His hon. and learned Friend the Member for Athlone had spoken of the borough constituencies, and quoted that of Athlone, amongst others, as being 350; but although his hon. and learned Friend, like himself at Drogheda, had been subjected to a very severe contest, he must know that the total number that polled at the Athlone election was far below 350. He felt extremely gratified at the manner in which the Bill had been received by Gentlemen on both sides of the House, and he should be most happy to give every attention to any suggestion which might be made for improving the Bill. As it was of great importance that the Bill should pass into a law as rapidly as possible, he should propose that it be committed on Monday next.

Mr. NAPIER hoped that as several Irish Members would be obliged to attend the assizes, the right hon. Gentleman would not name so early a day.

Lord J. RUSSELL said, that if they postponed the Bill till after Easter, other measures would interfere with it. If some hon. Members were obliged to attend the assizes, that was no reason why they should give up other important public business.

Bill read 2°, and committed for Monday next.

ELECTIONS (IRELAND) BILL.

Order for Second Reading read.

Sir W. SOMERVILLE moved the Second Reading of the above Bill.

Mr. REYNOLDS suggested the propriety of reconsidering those clauses of the Bill which had reference to the establishment of polling places, in order to consider whether a reduction of expense might not be made, by allotting a larger number than 300 voters to each polling place. The proposal, also, to establish separate polling places for freemen, would, in his opinion, prove a source of considerable expense in large towns. In Dublin the expense under this head would not be less than 1,200*l.*

Mr. M. J. O'CONNELL thought that an improvement might be made in the Bill, by the adoption of a system of parochial classification of electors, in preference to the old baronial plan.

Sir W. SOMERVILLE said, that with respect to the expense of polling places, he should be perfectly prepared to consider any plan calculated to reduce the expenses attendant upon them. With respect to the baronial classification, it was a matter of extreme difficulty, but he had endeavoured to meet some of the objections previously urged against it, as far as he could.

Bill read 2°, and committed for Monday next.

WOODS, FORESTS, ETC.

Lord J. RUSSELL: I now rise to move for leave to bring in a Bill to make better provision for the management of the Woods, Forests, and Land Revenues of the Crown. I don't intend, especially in the absence of my noble Friend the Member for Bath, who was chairman of the Committee on this subject, but who is unable to attend the House, to enter at present on any long explanation of details. I shall only state generally the reasons which have induced Her Majesty's Government to think that the department may be better managed by means of the separation now proposed than by the continuance of the present system. 'Till 1832 there were different offices for the management of the land revenues of the Crown, the woods and forests, and for the department of the Surveyor General of the Works. It was thought expedient to unite these offices under three commissioners. But experience has shown that the combination of these offices has led to the imposition of very large and undue charges on the Land Revenues of the Crown for the purpose of public works, and that the First Commissioner of Woods and Forests being a person connected with a political party, is not so well fitted for the management of the department of the Woods and Forests as a person would be who was totally unconnected with a political party. What we propose, therefore, is to have in the first place three commissioners, two of them salaried, who shall have the management of the Land Revenues of the Crown and the Woods and Forests, and that none of them shall be capable of sitting in the House of Commons. With respect to the Office of Works, however, we propose that it should be a political office, namely, that there shall be a First Commissioner of Works, and that the office should be capable of being held with a seat in the House of Commons. It is believed that an officer of that description, responsible, and holding a seat in the House of Commons, will be able to exercise a control over public works which have of late years occasioned very considerable expense, and which certainly deserve being made a special subject of attention on the part of a Minister of the Crown. By this proposed separation we get rid of what has frequently happened, namely, that when large expenses have been incurred for certain public works, the sums were raised by making them a charge on the Land Revenues of the Crown; whereas, the object being the formation of public parks, or the improvement of streets in the metropolis, or in Dublin or Edinburgh, the expense should rather have been thrown on the general revenue of the country. And there was no saving to the country effected by making such expense a charge on the Land Revenues of the Crown; because, whether it came out of the Crown lands or out of the general revenue, it was the same thing in the end. But it was certainly calculated to keep from the public view the large expenses incurred in those cases. According to the statement I have now made, the Land Revenues will be in future managed as a department of the revenue. The persons employed in that office will have only to consider how best to manage the rents they receive from that property which is leasehold, and also what is the best mode of managing the Woods and Forests; and they will have nothing to do with the consideration of any expenses except such as any owner of property would think it necessary to incur for the preservation and improvement of his property. On the other hand, the Commissioner of Works, who will be a political officer, will have to consider what sums it will be necessary to provide for public works which it may be requisite either to begin or to carry on—in what manner Hampton Court, and the parks which may be used for public recreation, should be kept in order and ornamented so as to be suitable for their object—and any other expenses which the Government may think it right from time to time to recommend, and the House of Commons may think it right to adopt. He will be ready to explain the grounds on which these expenses are proposed to be incurred; and his whole attention will be directed to public works, and not to the landed estate of the Crown. These are large public question, and lead to debate in this House. With respect to the salaries, the sum will be the same as that at present applied to the purpose. The First Commissioner of Woods and Forests now receives 2,000*l.*; and there are two other commissioners with 1,200*l.* a year each. It is proposed that of the Commissioners of Land Revenue, to consist of three persons, the first shall receive 1,400*l.* a year, the second 1,000*l.* a year, and the third, who will be some person in the public service, shall not receive any salary. Of the department of Public Works, it is proposed that only one shall receive a salary. He will receive 2,000*l.* a year, the salary which is now received by the First Commissioner of Woods and Forests. The money to be paid in salaries will be just the same as the amount at present paid. Therefore no additional expense will be incurred; and the change does not make it necessary to have any more persons representing the departments in the House of Commons than may now sit there. The new arrangement will, I hope, be found to bring the expenses incurred for public works more specifically under the notice of Parliament, and to secure a better management of accounts. I shall not detain the House by any further remarks, and shall simply move for leave to bring in the Bill.

Mr. CARDWELL was glad, as a Member of the Committee, that this subject had occupied the attention of the Government. He agreed with the noble Lord in thinking that there was no department of the public service in which there was greater scope for improvement. He thought the proposed arrangement was calculated to promote economy in the public service. The suggestion of the noble Lord as to showing, on the face of the estimates, the sum expended on any improvement for public works, was one with which he entirely concurred, for the greatest possible security would thereby be afforded that the money would be well laid out. He quite concurred in the propriety of separating the two departments. The objections discovered by the Committee did not apply to any particular period or to the time of any First Commissioner: it was but just to say this; but undoubtedly the evils and objections of every kind to which the system had naturally given rise did require the most searching and vigorous reform. After the Committee had sat one Session, a gentleman from Sheerness, connected with the Admiralty, and acquainted with the sale and purchase of timber, had been specially sent to report upon the New Forest. That gentleman reported, that with regard to the Queen's timber, there was systematic plunder carried on with the utmost audacity; that the general impression was, that the Queen's forests were fair game; that in consequence, when prosecutions were taken into court it was impossible to obtain convictions; that the whole public mind of the neighbourhood was poisoned with the idea that it was no fraud to take the Queen's property; and that there was no check on the system of receiving money, a smaller quantity of trees being entered in the accounts than were actually cut down. In answer to question 345—

> "Did you find a difference of 785 loads between the actual measurement of trees cut down in 1848 and the estimated contents?"

he replied—

> "Yes; 804 loads were the estimated contents, but the actual measurement was 1,539 loads."

Respectable persons would not attend the sales, because there was such an understanding between those who sold the timber on the part of the Crown, and the corrupt purchasers in the neighbourhood, that respectable persons had no chance. In answer to question 392—

> "Did it appear to you that a large quantity of timber had been stolen in broad daylight, in the most open manner?"

he replied—

> "I believe so; no doubt of it; early and late, in the daylight and the dark, just as it suited.
>
> "Were the loads properly marked in many instances?—I don't think so in many; some of them were marked, but not what I consider properly.
>
> "Did you find that more trees were cut down than were authorised by the Treasury warrant?—In every case.
>
> "In every case that came under your observation?—I have looked back for three or four years, and I find it has been the custom, for some years at all events."

Without saying more at present, he would only add, that with the reform proposed by this Bill, such a system could not prevail; and he trusted that the details of the measure would be such as effectually to carry out the object in view.

Sir H. WILLOUGHBY was understood to say that when the details came under the consideration of the House, the question of the amount of salary would be raised.

Bill ordered to be brought in by Lord John Russell, the Chancellor of the Exchequer, and Mr. Hayter.

The House adjourned at a quarter before Ten o'clock till Monday next.

HOUSE OF LORDS,

Monday, February 25, 1850.

Minutes.] Public Bills—1° Party Processions (Ireland).

CASE OF LIEUTENANT GRAHAM AND MR. ELLIOTT.

Lord BROUGHAM rose, in performance of an act of justice, to state, that upon further inquiry he was satisfied that he ought not to have made the observations which he recently had made (Feb. 5, p. 332), on the case of Lieutenant Graham and Mr. Elliott on the one side, and on that of Commander Pitman on the other. The facts which had since come to his knowledge would have prevented him from bearing such testimony as he had given to the characters of Lieutenant Graham and Mr. Elliott; whilst, on the other hand, they had convinced him that Commander Pitman did not deserve the opprobrium which he had cast upon that officer. The testimonies which he had received in favour of Lieutenant Graham and Mr. Elliott, which came from an officer whose judgment was as high as his testimony, was unexceptionable, and from an almost endless number of other officers. He had, however, since received another account from equally high authorities, and he could only account for the great discrepancy between them by supposing that the former must have related to their conduct at a period of their lives when they had not become guilty of the irregularities by which they had subsequently rendered themselves notorious; whilst, on behalf of Commander Pitman, he must say that the terms of approbation in which his general conduct was mentioned, induced him to believe that if the court-martial upon him had been postponed to a later period, he would never have been found guilty of the charges preferred against him. There was, however, this difference in the sentence passed upon these officers. Lieutenant Graham and Mr. Elliott were sentenced to be dismissed the service, and were declared incapable of serving Her Majesty in any capacity whatsoever. Commander Pitman was simply dismissed the service, but without the stigma of being incapable of serving Her Majesty.

The EARL of MINTO would be sorry to say anything which should add to the pain which Messrs. Graham and Elliott must feel, while suffering under a very severe and well-merited punishment; but he must say that the officers serving on board that ship were of opinion that it was to be regretted Mr. Pitman had not called exculpatory evidence. It was to be regretted that the noble and learned Lord had drawn the attention of their Lordships to the subject. He must say that the bringing of the proceedings of courts-martial before Parliament had a serious tendency to weaken the good discipline of the naval service.

LORD BROUGHAM denied that he had fallen into any error. He had done merely an act of justice which any one of their Lordships would have been equally bound to do upon similar information. And he now merely stated that he had received additional information which, had he received it before he made the former statement, would have prevented his laying it before their Lordships. As to his noble Friend's regret, he would have to suffer a great many more regrets from similar causes if he lived much longer.

The EARL of MINTO repeated, that he regretted the noble Lord had brought forward those matters unnecessarily. He could easily have ascertained the precise facts had he made application to the heads of the Admiralty department.

ECCLESIASTICAL COMMISSION BILL.

House in Committee, according to order.

Several Amendments made.

On the 12th Clause, consolidating the Episcopal and the Common Fund,

The EARL of POWIS opposed it, on the ground that it concealed very extensive powers under apparently innocent language; for, when that language was closely considered, it would be found to take away from the Crown the power of creating future bishops. The appointment of a larger number of bishops than existed at present, had always depended on a question of finance, and, unless a fund were provided to secure an income for the new bishops, it would be difficult to obtain an increase in their numbers. What he proposed as a remedy for this clause was this—that the Ecclesiastical Commissioners should have power to pay to the common fund any surplus money which from time to time might come to their hands, reserving the surplus income of the episcopal fund, so that if Parliament should increase the number of bishops, an available fund might exist out of which to supply their incomes. He also proposed that, in the meantime, the money should not be left idle in the banker's hands, but that the interest should be applied towards the augmentation of the smaller livings. He contended that this was the more necessary, inasmuch as the surplus of the ecclesiastical fund would go but a very little way in increasing the "common fund," whereas by reserving it, as he recommended, it would be sufficient to carry out the views of the Royal Commissioners expressed some years ago by increasing the number of bishops by three. He regretted to find that this 12th Clause, as it stood, did not contain a single word respecting the erection of the three additional bishoprics, but would, as he believed, effectually prevent their appointment hereafter; whereas Ministers, just before the last election, publicly promised to erect them "as soon as conveniently may be." The noble Earl here read the preamble of the Act of Parliament for the erection of the bishopric of Manchester, in which the promise of three additional bishops was distinctly enunciated. Now, he asked the noble Marquess whether the Government still intended to carry out that extension of the number of bishops which had been thus formally promised, or whether he intended to shelve that question by this clause? The clergy of all opinions were requiring a moderate increase in the number of bishops, and, as that was the case, he hoped that their Lordships would support his Amendment. The noble Earl then placed his Amendment in the hands of the noble Chairman:—

> "And it is expedient that power be given to the said Commissioners to transfer and apply any surplus of or arising from the said episcopal fund to the said common fund, for the purposes of such common fund. Be it enacted, that from and after the passing of this Act, it shall and may be lawful for the said Ecclesiastical Commissioners, when and as they shall think fit, from time to time to transfer all or any part of any surplus moneys arising from or being part of the said episcopal fund to the said common fund, and all moneys so transferred as aforesaid shall then form part of the said common fund mentioned in the said secondly-recited Act, and be applicable to the purposes of such common fund."

The MARQUESS of LANSDOWNE said,

the Government did not mean to prejudge the question of the increase in the number of the episcopacy by this Bill, or any clause of it. The noble Earl had very truly stated that the appointment of three new bishops had been promised by Her Majesty's Ministers, and though he was not prepared to say that Her Majesty's Government were prepared to bring in a Bill at present for augmenting the number of bishops, yet he could have no hesitation in saying that the question would not be neglected as soon as public expediency and the interest of the Church called for the alteration. One of the strongest objections that had been urged against the Ecclesiastical Commission originated from the desire of some parties to draw an impassable line between the episcopal and the common fund. Now, it appeared to him that the simplest and most efficient mode of meeting the wishes of the community and of the Church upon this point, was to unite both funds, leaving it open to the Commissioners to apply the funds so united in the manner which should be found most conducive to the interests of the Church. He could not agree with the noble Earl that this was a prejudging of the question as to increasing the number of bishops, but at the same time he must say, that without pronouncing any opinion at this moment on this subject, he should be extremely sorry to see such an addition to the episcopacy carried into effect without the general approbation of the Church of England. If the increase, however, did meet with that general approbation, what objection, he would ask, could there be to applying both funds together, as it would be applied under the circumstances in a manner which would be most conducive to the interests of the Church? The question whether there should be bishops in the Church of England was a question of principle, which did not arise; but the number of those bishops was a question, not of principle, but of expediency, and their Lordships had a right to consider how it was to be carried out so as to be most conducive to the best interests of the Church. The Amendment of the noble Earl prevented any addition being made from the common fund to the episcopal fund—an arrangement which might not be at all times advisable, and therefore he should prefer seeing the clause left as it stood, so as to give the Commissioners power to devote the whole fund in such manner as they should find most calculated to advance the interests of the Church.

The BISHOP of LONDON remarked, that the noble Marquess had admitted that bishops were essential to a Christian Church, but had observed that the question as to the number of bishops was a question more of detail than of principle. But, if that observation were carried out to its full length, it would follow that, so long as there were two bishops, nay, so long as there was one bishop, that one bishop might be enough. It was, however, essential to the well-being of a Christian Church, not only that there should be one bishop, but also a sufficient number of bishops. He had never heard or read in any historian, either lay or ecclesiastical, that the number of bishops in the Church of England was more than enough; and, if the number of bishops was only enough in former times, when our population was scanty in comparison with the present population, surely it could not be contended that it was sufficient now, when the population in every district of the country was so much augmented. It was upon this ground that he had always advocated the separation of the ecclesiastical and common funds, in order that there might be an episcopal fund for episcopal purposes. He had given evidence to that effect before a Committee of the House of Commons; so too had his right rev. brother the Bishop of Lincoln; and it was, he believed, mainly owing to their evidence that the House of Commons did not recommend the fusion of the two funds. He was aware of the force of the objection, that the episcopal fund should not be reserved for exclusively episcopal purposes while there were so many poor and populous districts of the country requiring spiritual aid; but he thought this objection had been met by the noble Earl, when he stated, that while the loss of the fusion would be very great to the episcopal fund, the gain to the common fund would be comparatively small. He (the Bishop of London) hoped to see many new bishoprics established. After twenty-six years' experience of the episcopal office, he felt that no man could discharge the duties imposed upon him by the present system with satisfaction to himself. As to the feeling of the clergy on this subject, he had reason to think that if the opinions of the whole body could be taken, there would be a large majority found in favour of maintaining the independence of the two funds, in favour of maintaining a separate fund, the surplus of which might be applied to the erection of new bishoprics. The Royal Commission had declared the absolute necessity of increasing the number of bishops by four, and so strong did that necessity appear to him, that he could not hesitate in recommending the Government to create the four bishoprics without delay. He hoped that it would not be considered presumptuous on his part to express his belief, that if the Government had only their Lordships' House to deal with, there would have been no hesitation in proposing the additional increase at once. He begged to give his cordial support to the Amendment of the noble Earl.

LORD STANLEY said, he understood the noble Marquess to remain still of the same opinion that he had entertained four years ago, for the expediency of increasing the number of bishops, and he therefore could not see on what grounds the noble Marquess objected to the proposition of his noble Friend, which merely went the length of declaring that when an increase of the episcopal fund sanctioned an addition to the number of bishops, the Parliament should be at liberty to take the question of such addition into consideration. If the necessity of adding to the number of bishops still remained, and if, when the supposed increase to the fund rendered such addition possible, the urgency still continued, as he had no doubt it always would continue, then he could see no objection to agreeing in the Amendment of his noble Friend. All his noble Friend asked was, that the money should be so applied when it had accumulated to a sufficient amount; and if the Government objected to that course, he could not see how they could hope by any possibility to increase the number of bishops at any future period. The episcopal fund was intended to be applied exclusively to episcopal purposes; but if this Bill passed, the question would arise every time it increased to 4,000*l.* a year whether the sum ought to be expended in creating a new bishop, or in endowing forty additional poor clergymen. Much dissatisfaction would thus be produced, and, therefore, without the modification proposed by his noble Friend, they would by this clause put an end for ever to the idea of increasing the episcopal bench—an increase which he concurred with the noble Prelate who had just spoken in thinking absolutely necessary. If Parliament determined to fuse the two funds, and not adopt even the modification now proposed, he was at a loss to understand how there could remain a practical possibility of that addition to the episcopal bench which he held to be urgently required, and which he believed would at no distant period be demanded to a much greater extent than the creation of the three or four bishops referred to. He must say that he had heard with surprise the argument of the noble Marquess that the Amendment would prevent the Commissioners from making any addition to the episcopal fund from the common fund; for surely, when it was alleged so strongly that the common fund was insufficient for the calls upon it, there could be no intention of applying any portion of it to the ecclesiastical fund. On these grounds he must support the Amendment of his noble Friend.

The LORD CHANCELLOR said, the real question for their Lordships to consider was, as to what mode these two funds could be applied so as most to promote the general interest of the Church. It might be that these general interests would be best served by increasing the number of bishops at one time, or the number of curates at another time; but how were their Lordships to decide these points, unless they could anticipate what was to occur hereafter? He did not think, therefore, that they would be consulting the interests of the Church by tying up the hands of the Commissioners before they knew what exigencies might occur. He was of opinion that they should leave the discretion in the hands of those with whom it might safely be left, and who must have the best means of knowing from time to time how it should be applied, rather than fetter their discretion and compel them at a future period to apply the funds to one purpose, with the knowledge and conviction that for the good of the Church it had better be applied to another purpose.

The EARL of HARROWBY thought the Amendment would in point of fact leave the Commissioners a sufficiently wide discretion for the creation of benefices or other purposes. The Church and the Government were unanimous in favour of an increase of the number of bishops, and it had only been prevented by the opposition of some ten or twelve Members of Parliament.

EARL GREY thought they might well trust a discretion to the Commissioners in the manner proposed by the Bill, and unite the two funds. The clause of the noble Earl did not ostensibly interfere with this object, but it was expressed in a manner which would lead to great inconvenience and difficulty, because it might be contended that there was not a surplus after all the bishops that could be wanted had been created. As matters now stood, a great portion of the income of the bishops was derived from the appropriation of tithes in very distant districts. The Ecclesiastical Commissioners had laid down what he considered a reasonable principle—that, in making a new distribution of the income of the Church, regard should be had to the local wants and interests of the district in which the income arose. That appeared to him a very strong reason indeed in favour of the fusion of the two funds. He quite concurred with the right reverend Prelate, that an increase of population made an increase of bishops desirable, but it also made an increase of clergymen of still greater importance, not only to the interests of the Church, but to those of the country.

Their Lordships divided:—Content 31; Not-Content 26:—Majority in favour of the Amendment 5.

List of the CONTENTS.

MARQUESS.
Camden
EARLS.
Aberdeen
Malmesbury
Enniskillen
Roden
Nelson
Powis
Glengall
Verulam
Cardigan
Harrowby
Romney
Lanesborough
VISCOUNTS.
Strangford
Hawarden
Gage
Canning
BISHOPS.
London
Exeter
Carlisle
Rochester
Salisbury
St. David's
Oxford
Chichester
St. Asaph
LORDS.
Stanley
Feversham
Colchester
De Tabley
Walsingham

List of the NOT-CONTENTS.

Lord Chancellor
MARQUESSES.
Lansdowne
Clanricarde
Breadalbane
Donegal
EARLS.
Charlemont
Waldegrave
Granville
Minto
Carlisle
Craven
Devon
Grey
Stafford
Bessborough
LORDS.
Say and Sele
Dunalley
Elphinstone
Colborne
Sudeley
Wodehouse
Campbell
Foley
Monteagle
Wrottesley
Ashburton
Eddisbury

Paired off.

FOR.	AGAINST.
Marquess of Salisbury	Lord De Freyne
Marquess of Londonderry	Earl of Suffolk
Lord De L'Isle	Lord Milford
Earl Somers	Marquess of Anglesey
Lord De Ros	Lord Dufferin

The BISHOP of ST. ASAPH then moved the following addition to the amended clause:—

> "Provided always, that it shall be lawful for the Ecclesiastical Commissioners, at the request of the Bishop, to provide for the spiritual necessities of any parish where the tithes form part of the episcopal revenue, in the same manner as if those tithes arose from a sinecure rectory in the possession of the Ecclesiastical Commissioners."

He did not wish to give powers to any persons but the Ecclesiastical Commissioners, and he therefore hoped the Government would consent to this Amendment. It might be said that in such cases the bishop himself might provide for the wants of such parishes as those contemplated to be assisted by the Amendment, but that he believed was impossible under the present system. To show this, he would state the case of his own bishopric. The revenue used formerly to be 7,000*l.* a year, derived chiefly from impropriated tithes. His predecessor, with great liberality, increased the income of a large number of the smaller parishes; but there were many to which he could not extend this boon with his income of 7,000*l.* When he succeeded to the bishopric with 4,000*l.* a year, he succeeded to all the claims, on an income of 7,000*l.* a year. With the utmost wish to do as his predecessor had done, he found that, with the other imperative claims upon his income, it was utterly impossible. The right rev. Prelate illustrated the working of his proposed clause by a reference to the parishes of Southhope and Northhope, in his diocese.

After some words from the Marquess of LANSDOWNE,

The BISHOP of ST. ASAPH withdrew his Amendment, and the clause, as amended, was agreed to.

On the 15th Clause, regulating the endowment of Deaneries, proposing that from and after the next vacancy the income of the Dean of York should be 2,000*l.* a year; that the present holders of the deaneries of Salisbury and Wells should receive 1,500*l.* a year; and that the income of future holders of those of Chichester, Exeter, Hereford, Lichfield, Salisbury, and Wells, should not exceed 1,000*l.*—

The BISHOP of SALISBURY proposed to substitute as an Amendment the following clause:—

> "And whereas it was by the 3rd and 4th Vic., c. 113, sec. 52, enacted that so much and such parts of the lands, tithes, and other hereditaments

annexed or belonging to or usually held and enjoyed with the respective deaneries of York, Chichester, Exeter, Hereford, Lichfield, Salisbury, and Wells, respectively should, by the authority therein provided, be, upon the vacancies of the said respective deaneries, applied to make such provision for the said deans respectively as by the like authority should be deemed just and proper; and by the 4th and 5th Vic., c. 39, sec. 20, power was given to carry such purposes into effect by any other mode of payment, contribution, augmentation, or endowment, which might be deemed fit: And whereas doubts have been entertained with respect to the powers of the Commissioners to endow the said deaneries with an amount beyond 1,000*l.* in the year: And whereas it is expedient to remove such doubts: Be it therefore declared and enacted, that it is and shall be lawful, by the authority by the said recited Acts provided, to endow any of the deaneries above-named which have become or shall become vacant, in any of the modes by the said Acts provided, with such average annual income as shall by the same authority be deemed just and proper; provided that such income shall not in the case of the deanery of York exceed 2,000., nor in the case of any of the other said deaneries exceed 1,500*l.*, nor shall in the case of any of the above-named deaneries exceed the average annual income of the lands, tithes, and hereditaments heretofore annexed or belonging to the same deanery, and which by the provisions of the said first-recited Act have accrued to and become vested in, or shall accrue to and become vested in, the said Ecclesiastical Commissioners for the purposes of that Act."

Having recapitulated at some length the circumstances under which the meaning of the original clause was misapprehended by the law officers of the Crown, and shown that his present proposal was not only consistent with the meaning of the 3rd and 4th of Victoria, as well as in accordance with the justice of the case, the right rev. Prelate said that he had one other ground to adduce in support of the Amendment—a ground, in his judgment, far more important than all those he had touched upon, inasmuch as it related not merely to the pecuniary incomes of individual clergy, but to the useful and efficient employment of cathedrals as the instruments of the Church for the high and holy purposes for which she was designed. If our cathedral establishments were to be not merely the ornaments but the strength and support of the Church, that end was to be attained not by viewing any parts of their institution as if we were ashamed of them—not by taking every possible opportunity and seizing upon every pretext to abstract from them every shilling of supposed surplus revenue—not by cutting down the number of their officers and by diminishing their salaries, leaving them in forced uselessness and degradation: that end was to be attained only by endowing them with adequate and suitable revenues, and requiring from them real and effective services. If our cathedrals were to be as they ought to be, the strength of the Church, nothing was more important than to require from the members of our cathedral establishments, now so greatly reduced in numbers, a more constant residence in their cathedral cities than was at present by law required. And, if their Lordships consented to the Amendment, he should be glad to see coupled with it a provision that in future there should not be held with any deanery any parochial benefice for the cure of souls which was distant from the cathedral city. Under the existing state of the law, the deans, in common with other members of the chapter, were competent to hold parochial benefices at any distance from the cathedral; and he would gladly see, as the first step to a real and beneficial reform, the deans and canons of our cathedrals placed, in this respect, under some very stringent restriction. Although his proposal carried on the face of it an appearance of increase in the incomes of certain deans, it was, in reality, far more a measure of real practical reform than those which, by decreasing the incomes, decreased the efficiency of our cathedral establishments—it was a measure which held out a hope of increased usefulness in these establishments, and of rendering them far more conducive than they were at the present moment to the strength of the Church and the spiritual edification of the people.

The MARQUESS of LANSDOWNE said, the object of the Bill was not to provide for augmentations, but to regulate the proceedings of the Ecclesiastical Commission. This particular subject had been twice under the consideration of the law officers of the Crown; they reported that they saw no reason for altering their previous opinion, and therefore it was thought better to leave the law as it was. When the Act of 1840 was brought in, it so happened that two individuals, the holders of the deaneries of Wells and Salisbury, were aggrieved; and subsequently an infinite variety of claims were made to be put upon a better footing; but the object of the Bill was not to provide augmentations, but to improve the Ecclesiastical Commission. Under these circumstances he felt bound to oppose the Amendment.

House divided:—Contents 21; Not-Content 19: Majority in favour of the Amendment 2.

List of the NOT-CONTENTS.

Lord Chancellor
MARQUESSES.
Breadalbane
Clanricarde
Donegall
EARLS.
Claremont
Carlisle
Granville
Grey
Minto
Strafford
Waldegrave
BARONS.
Campbell
Dunalley
Elphinstone
Foley
Say and Sele
Sudeley
Wodehouse
Wrottesley

Paired off.

FOR.	AGAINST.
Cardigan, Lord	Monteagle, Lord
Walsingham, Lord	Colborne, Lord
Malmesbury, Earl	Eddisbury, Lord

The BISHOP of OXFORD proposed the insertion of certain clauses, empowering the Commissioners to deal with the tithes in certain large districts in his own diocese and others, which are now diverted to lay appointments. A clause to this effect was inserted in a Bill by Her Majesty's Government last year, and it proceeded so far as to pass through Committee. He hoped there would be no delay in passing it on this occasion. If there were, the injury now suffered by particular parishes from this cause might be indefinitely prolonged. He also proposed to add a clause with relation to another subject. When Parliament began to legislate concerning the income of the bishops, one of the first principles acted upon was, that all benefices with cure of souls held *in commendam* by different bishops in order to make up a sufficient income for their support, should be severed, and the money hitherto received from that source be supplied from the episcopal fund. This provision separated livings held *in commendam* from all sees but three; it was now desirable to include those sees, and the clause he proposed would enable the Ecclesiastical Commissioners to present a scheme to Her Majesty in Council for carrying out the severance in respect of the sees of Gloucester and Bristol, Oxford and Peterborough.

The MARQUESS of LANSDOWNE said, he had no objection to the clauses proposed by the right rev. Prelate.

Several other Amendments made: the report thereof to be received on Thursday.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, February 25, 1850.

MINUTES.] NEW WRIT.—For Canterbury *v.* Lord Albert Denison, Chiltern Hundreds.

PUBLIC BILLS.—Registrar of Metropolitan Public Carriages; Turnpike Road and Bridge Trusts (Ireland).

THE FLORIN.

MAJOR BERESFORD begged to ask the right hon. Gentleman the Master of the Mint whether a report was correct, that the issue of the new two-shilling piece, "the florin," had been countermanded by the authorities of the Mint?

MR. SHEIL: I might insist, with perfect truth, that the Master of the Mint is not responsible for the design of a coin, and that the coin in question was approved by an Order of Council which I did not attend; but, although this is literally the case, it would be disingenuous on my part to shelter myself behind these allegations, when, in point of fact, whatever fault has been committed, has been committed through my instrumentality, which, in an assembly of English Gentlemen, I think it better frankly and unhesitatingly to acknowledge, rather than to rely upon the mere forms of office in my defence. The facts are simply these. The design of the new two-shilling piece having been determined on, and directions having been given by the Chancellor of the Exchequer, that upon the reverse of the florin there should be inscribed the word "one florin" and "one-tenth of a pound," it occurred to me, that in order to make up for the complexity of the reverse, the obverse of the coin should be made as simple as possible, and I accordingly suggested to Mr. Wyn, the chief engraver at the Mint, that "Victoria Regina" should be alone inscribed on the obverse, and that everything else should be omitted. I found that upon coins struck at Calcutta, no other words than "Victoria Regina" were inscribed. On the copper coinage the name of the Sovereign only has been frequently inscribed. My suggestion was adopted, and accordingly "*Fidei Defensatrix*" and "*Dei Gratia*" were left out; but I need hardly assure those who have the least acquaintance with me that I was not influenced by any fanatical feeling in the adoption of this course. The coin passed from my hands, and was submitted to the Council, where the omission was not observed, although it did not escape the microscopic eye of my hon. Friend, by whom this question has been sent to me. I may mention as a proof that I was not swayed by any preposterous—and worse than preposterous—prejudice to the employment of the words thus left out, that since I became Master of the Mint a very beautiful five-shilling coin has been issued from that establishment, with the words which are not inserted on the florin. I have no difficulty in professing my faith in reference to the import of these words. It may, at first view appear to be incongruous that the Sovereign of this Protestant country should be designated by a title conferred by the Pope on Henry the Eighth; but I conceive that these words may be reasonably considered to have lost their original signification, and that they now imply nothing more than that the Sovereign is the head of the Protestant Church, which I trust that the Sovereign will never cease to be; and with regard to the other words, "*Dei Gratia,*" no man is more prompt to acknowledge that a Queen, adorned by so many virtues, is the special gift of Providence to her faithful and devoted people.

Mr. HUME: But are we to have these florins or not?

Mr. SHEIL: The Master of the Mint is merely the manufacturer of the coinage. The Chancellor of the Exchequer it is who will determine on the issue.

Subject dropped.

PARLIAMENTARY VOTERS, ETC. (IRELAND) BILL.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. DISRAELI said, he did not rise to make any observations on the Bill itself, but to express his regret that they had not had that Parliamentary and distinct acquaintance with it which was necessary before they went into Committee. Generally speaking, he should be unwilling to deal with any subject of a material or political interest to Ireland but in a large and liberal spirit. He did not wish, however, to extend any favour to a measure which merely went to create an artificial suffrage, and he pressed on the Government strongly the necessity of postponing the Committee. There were five Bills relating to Ireland on the paper, which certainly was not a very felicitous arrangement, considering the Irish assizes commenced to-morrow, and that their recent legislation rendered it much more important now than at any previous time that Irish Gentlemen should attend the county assizes. The Bill was read a second time last Friday in a small and languid House, and they were prepared for a discussion on a very different subject that evening. Ministers might probably say the Bill was the same as that introduced last year; but it was impossible to suppose hon. Members had seriously studied an enactment which at the time the Government did not convey any urgent intention of pressing, and which probably might never have come before them again. It certainly seemed preposterous for the Government to propose to go into Committee on an Irish Bill at a time when nearly every Irish Member was absent. He hoped they would postpone the Committee till the Irish assizes were over.

Mr. HUME considered the business of Parliament of such paramount importance that it ought not to be stopped because of the absence of any Members. Many hon. Gentlemen attended from all parts of the country to perform their Parliamentary duties, often at great personal inconvenience. He admitted that the measure in question was an important one, and that full time should be given for its consideration; but, beyond that, the convenience of individual Members should not be taken into account.

Viscount CASTLEREAGH begged to call the attention of the House to the fact that it was not unusual to postpone Bills in which English Members were interested, when they had to leave town to attend quarter-sessions. Many Irish Members were deeply interested in the Bill, and yet Government called on the House to pass it through Committee in their absence.

Colonel RAWDON said, the Bill was precisely the same as the one of last year; and, considering the rapidity with which the Habeas Corpus Suspension Bill, which suspended the entire constitution of Ireland, was passed, he thought the House ought not to delay this Bill, which Ireland had been waiting for at least nine years.

Lord C. HAMILTON was in favour of postponement, upon the ground that there were considerable alterations introduced into the Bill now before the House, which tended to make it different, in some respects, from the Bills of former years—that it contained 122 clauses, with seven pages of arrangement clauses—and that it was only delivered wet from the printers on Wednesday last. He represented a large county in the north of Ireland, and had been precluded, by the haste now adopted, from obtaining the opinions of his constituents with reference to the measure.

Mr. REYNOLDS said, he was happy to hear, from the lips of the hon. Member for Buckinghamshire, that he was disposed to look at any proposition affecting the Irish franchise in a favourable light. But that hon. Gentleman had used a phrase—namely, "artificial franchise"—the meaning of which he (Mr. Reynolds) should like to understand. He presumed, however, that it had not been introduced as an artifice to mystify words. The hon. Member, and also the noble Lord the Member for Tyrone, had asked the House to postpone the Bill until the Irish assizes had terminated. It was matter of wonder that they had not asked Mr. Speaker to adjourn the House for the accommodation of those who had to attend the assizes. It seemed to have been forgotten that, in the recent divisions, with which the name of the hon. Member for Buckinghamshire was connected, 70 Irish Members recorded their votes. 70 from 105, and 35 remained. Now, he should be glad to know at what period of their Parliamentary existence—unless some large job had to be carried—there was a larger attendance of Irish Members than on that occasion. The convenience of those who were present seemed to be overlooked, and the House was asked in the extreme of indulgence to postpone this proposed charter until certain Irish Gentlemen had time—he should not say so—to perpetrate jobs in their respective counties. ["Oh, oh!"] He had not said that grand juries jobbed; Irish grand juries had never jobbed—they were as pure as unsunned snow. The noble Lord the Member for Tyrone seemed to have forgotten that Lord Stanley had drawn up an Irish Franchise Bill, which was protested for non-acceptance, and remained unpaid to the present hour. Lord Eliot, when Secretary for Ireland, had prepared another and a much more liberal Franchise Bill than the present, taking the circumstances of the sister country at that time and now into consideration. For the last ten years Parliament had been called upon to pass an Irish Franchise Bill; and the measure now introduced, or something like it, had been three years before hon. Members. He, therefore, hoped that the right hon. Secretary for Ireland would not agree to any postponement.

SIR W. SOMERVILLE said, he should be very sorry to do anything to inconvenience hon. Members, but thought the Bill before them stood in a very different position from other measures that had been introduced this Session. The present Bill had been before the House for three years, and he certainly had explained some of its provisions, particularly those relating to the amount of the franchise, and that there were no alteration in its most important features. No persons interfered with the progress of business so much as Irish Members themselves. Which portion of them was he to consult? Was he to consider the hon. Member for Cork, where the assizes would not take place for three weeks, or the noble Member for Down? As to any cause of surprise, he could only say he had never heard the details of a Bill more thoroughly discussed than had been those of the present measure on Friday evening, when not a dissentient voice was raised against the principle by the hon. and learned Member for the University of Dublin, or by the Irish Members who had spoken. He must persist in pressing his Motion for the House to go into Committee.

MR. HERRIES asked whether it was right, reasonable, or even decent, to persevere with the Bill under the circumstances already set forth? On Friday last, the House was led to believe that the Australian Bill would come on to-day; but that had been postponed, and an Irish Bill substituted. This, however, was not in reality an Irish Bill, but a Bill affecting the interests of the empire at large; and certainly those best able to advise the House respecting details concerning Ireland, ought to be in their places when it was discussed. The Habeas Corpus Act had been alluded to, but that had been passed at a time of great emergency. He thought the noble Lord at the head of the Government would be ill-advised if he pressed the Bill upon a House which was evidently unprepared to enter upon its discussion.

SIR G. GREY said, that upon the last night the opinion of many Irish Members upon the Bill was expressed, and that the majority of them were in favour of proceeding with the measure without delay. Not a dissentient voice had then been raised with reference to its principle, nor had any hon. Gentleman complained of being unacquainted with its details. Bills had undoubtedly been postponed for the convenience of Gentlemen attending quarter-sessions; but there was a wide distinction between sessions and assizes, for, in Ireland, the assizes spread over a period of six weeks, because they were not held simultaneously. The consequence of postponement would therefore be, that the Bill would be put off to so late a period of the Session, that the House of Lords could not devote to it such attention as it was desirable it should obtain from the Members of the upper branch of the Legislature.

MR. NAPIER said, there were two points in the Bill, one directing the registration, the other the qualification, and as the latter part might greatly affect the seats of Members, he should have felt it to be his duty to have moved a postponement of the debate if no other Member did. This Bill was certainly proposed during the last Session; but believing that the Government had no serious intention of then passing it, few Members considered its details; and he did think it strange that a Bill which was only read a second time on Friday should go through Committee to-night, and thus preclude any Member giving notice of Amendments which he might have thought necessary. If they went into Committee, he should feel it his duty to propose Amendments to nearly every clause, but he had had no opportunity of giving the necessary notices. He trusted, as it mattered not whether the Bill passed now or a month hence, that the Government would consent to postpone it.

Mr. SADLEIR declared that the majority of Irish Members were anxious that the Bill should be passed without delay, and the vast majority of the people were anxious that not a day's postponement should take place. It was more important not to leave Ireland without a constituency than that Irish Members should attend the assizes. At present there were only 400 voters in Tipperary, most of whom were *20l.* rent-charges and clergymen. The people were much grieved by the threat of a general election, and, if an attempt were made at present, it would be accompanied by scenes of violence and riot, because they felt the constitution was virtually suspended, and that the franchise was a farce.

Lord J. MANNERS asked if the convenience of Australia was to interfere with the convenience of the House? The hon. Member for Montrose put forward an incontrovertible argument for the postponement, when he said it was right to test public opinion respecting every important measure. He should move the postponement of the Committee to that day three weeks.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon Monday the 18th day of March next, resolve itself into the said Committee," instead thereof.

Mr. R. M. FOX said, that all the workhouses had been searched for the purpose of finding persons who possessed *5l.*, *8l.*, or *10l.* qualifications. The measure was not a new one, inasmuch as its principle had been brought forward by the Earl of Carlisle, when Lord Morpeth, and that great dissatisfaction would be excited in Ireland if it were postponed until after Easter.

Colonel DUNNE approved of affixing the franchise to the rating; but he could not help observing that the constituencies of the boroughs would by its provisions be reduced almost to nothing. He should be sorry not to see this Bill proceeded with, though he thought that no measure of such importance to Ireland ought to be disposed of in the absence of the Irish Members.

Mr. SCULLY said, for the last few years since he had been in Parliament, Irish Bills had always been treated contemptuously, and were ever put off to the last moment; and now when the Government came forward with a Bill for Ireland, he was sorry to see his hon. and gallant Friend led away in this manner. He had heard no argument for postponing this Bill, but just the very reverse. They were told that this was an imperial measure, and a question for English Members to consider; and were there not plenty of Members there ready and willing to discuss it? As an Irish Member he felt it his duty to attend the discussion of imperial measures. Grand juries could discharge their duties without the presence of the Irish Members, but the legislation of the country could not go on without the Irish Members. He said it was their duty to be there. He said this—that it depended on their own conduct and the length of their speeches, if they were to go into Committee. They had already lost half an hour by this discussion, and he hoped no further would be wasted. An hon. and learned Irish Member on Friday said, that this measure should go through the House of Commons speedily, and agreed to the second reading to allow it to go without delay into Committee. He (Mr. Scully) said this was a strong argument in favour of the Government proceeding at once with the Bill, and he hoped it would not yield to the wishes now expressed for a postponement.

Mr. NAPIER wished to explain, and trusted that the noble Lord at the head of the Government would do him the justice to admit that he had pressed him on Friday last to postpone the measure to allow a proper opportunity for its consideration.

Mr. GRATTAN said, the way in which it was wished to hurry forward this measure looked very much like a snake in the grass. Here was a long list of Bills for hon. Members to consider that night as far as Ireland was concerned. First, there was the Bill now before them; then there was the Chancery Bill; then came the Bill on the Law of Process, then the Judgments in Ireland Bill; then the Registry (Ireland) Bill; then the Life Insurance (Ireland) Bill; then the Landlord and Tenant (Ireland) Bill; and then, more difficult than all, came the Fiscal Bill. He never saw such a catalogue of Irish Bills. He was glad that the Bill for the Payment of Wages in the Current Coin of the Realm (Ireland) was introduced; but if it should pass, how they could secure payment in the current coin of the realm in Ireland he did not know. Lord Morpeth introduced a Bill for this purpose in 1841, and it had been all this time under discussion; so that there was no probability of a speedy conclusion. He considered it highly objectionable to run so hastily forward with important measures like these.

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 185; Noes 115: Majority 70.

List of the AYES.

Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.
Arundel and Surrey, Earl of
Baines, rt. hon. M. T.
Baring, H. B.
Baring, rt.hon. Sir F.T.
Bellew, R. M.
Berkeley, Adm.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Birch, Sir T. B.
Blair, S.
Bouverie, hon. E. P.
Bright, J.
Brotherton, J.
Brown-Westhead, J. P.
Brown, W.
Busfeild, W.
Buxton, Sir E. N.
Cardwell, E.
Carter, J. B.
Caulfeild, J. M.
Clay, Sir W.
Clifford, H. M.
Cobden, R.
Colebrooke, Sir T. E.
Cowan, C.
Cowper, hon. W. F.
Craig, W. G.
Currie, R.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Devereux, J. T.
Divett, E.
Douglas, Sir C. E.
Duff, G. S.
Duke, Sir J.
Duncan, G.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Enfield, Visct.
Evans, Sir De L.
Evans, J.
Fagan, W.
Fergus, J.
FitzPatrick, rt. hn. J. W.
Fitzroy, hon. H.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fox, R. M.
Fox, W. J.
Gibson, rt. hon. T. M.
Glyn, G. C.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granger, T. C.
Grattan, H.
Greene, J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hallyburton, Lord J. F.
Hanmer, Sir J.
Harris, R.
Hastie, A.
Hastie, A.
Hatchell, J.
Hawes, B.
Hayter, rt. hon. W. G.
Headlam, T. E.
Heywood, J.
Heyworth, L.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Horsman, E.
Hume, J.
Jackson, W.
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Loch, J.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
Meagher, T.
Mahon, The O'Gorman
Martin, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Norreys, Lord
Nugent, Lord
O'Brien, Sir T.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Ogle, S. C. H.
Osborne, R.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, F.
Perfect, R.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, Dr.
Power, N.
Price, Sir R.
Pugh, D.
Rawdon, Col.
Reynolds, J.
Ricardo, J. L.
Ricardo, O.
Romilly, Sir J.
Russell, Lord J.
Russell, F. C. H.
Sadleir, J.
Sandars, J.
Scully, F.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. B.
Somers, J. P.
Somerville, rt.hn. Sir W.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord D.
Stuart, Lord J.
Sullivan, M.
Tennent, R. J.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Tufnell, H.
Vane, Lord H.
Villiers, hon. C.
Wall, C. B.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
West, F. R.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, W. P.
Wrightson, W. B.
Wyld, J.
Wyvill, M.

TELLERS.

Hill, Lord M.
Grey, R. W.

List of the NOES.

Adderley, C. B.
Arbuthnott, hon. H.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bailey, J.
Baillie, H. J.
Bankes, G.
Baring, hon. F.
Barrington, Visct.
Bateson, T.
Bennet, P.
Blandford, Marq. of
Boldero, H. G.
Bowles, Adm.
Bramston, T. W.
Bremridge, R.
Broadley, H.

Brooke, Lord
Bruce, C. L. C.
Bunbury, W. M.
Carew, W. H. P.
Castlereagh, Visct.
Chatterton, Col.
Chichester, Lord J. L.
Christy, S.
Clerk, rt. hon. Sir G.
Cole, hon. H. A.
Coles, H. B.
Corry, rt. hon. H. L.
Cubitt, W.
Currie, H.
Dick, Q.
Dickson, S.
Disraeli, B.
Dodd, G.
Drummond, H. H.
Duncombe, hon. A.
Du Pre, C. G.
Egerton, W. T.
Ferguson, Sir R. A.
Forbes, W.
Fox, S. W. L.
Fuller, A. E.
Gladstone, rt. hn. W. E.
Gooch, E. S.
Gordon, Adm.
Goulburn, rt. hon. H.
Grogan, E.
Gwyn, H.
Halford, Sir H.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Haris, hon. Capt.
Henley, J. W.
Herbert, H. A.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hope, H. T.
Hornby, J.
Hudson, G.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knight, F. W.
Knox, Col.
Law, hon. C. E.
Legh, G. C.
Lennox, Lord A. G.
Lennox, Lord H. G.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, H.
Lygon, hon. Gen.
Macnaghten, Sir E.
Mahon, Visct.
Mandeville, Visct.
Manners, Lord G.
Manners, Lord J.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Morgan, O.
Mullings, J. R.
Naas, Lord
Napier, J.
Newdegate, C. N.
Packe, C. W.
Palmer, R.
Plumptre, J. P.
Repton, G. W. J.
Richards, R.
Sandars, G.
Seymer, H. K.
Sibthorp, Col.
Sidney, Ald.
Smyth, J. G.
Smollett, A.
Stafford, A.
Stanford, J. F.
Stanley, E.
Stuart, J.
Sturt, H. G.
Taylor, T. E.
Thesiger, Sir F.
Trevor, hon. G. R.
Vyse, R. H. R. H.
Waddington, D.
Walpole, S. H.
Walsh, Sir J. B.
Wodehouse, E.

TELLERS.

Beresford, W.
Mackenzie, W. F.

Mr. DISRAELI said, it was some time since it had become necessary in that House to resist a tyrant majority; but, remembering the numbers who had voted in the minority, and looking at the nature of the division which had just taken place, he felt himself fully justified in the course which he had resolved to adopt. He hoped that the noble Lord at the head of the Government would yet consider the propriety of the suggestions which had proceeded from his (Mr. Disraeli's) side of the House, and not persevere in pressing forward a measure for the postponement of which there existed so strong a desire. He entertained this hope the more confidently as not one word had been said by the supporters of the Bill which in any respect met the objections that had been urged from his side of the House against bringing forward a measure of such great importance in the absence he might say of the Irish Members. At the present moment a great number of the Irish Members were necessarily absent. ["No, no!"] If they were not necessarily absent, they were then not so anxious as he supposed to do their duty, and he might be giving them credit for more zeal than really influenced them. Eight and forty hours since, neither he nor they knew anything of what was to be done that evening in the House. They had all been taken by surprise, and no doubt some of the Irish Members would be absent, for no one had the least idea that the Government would have taken this course, inasmuch as attention had been ostentatiously solicited to another subject—a question of colonial government—a question to which attention had not only been solicited, but one on which the public mind had been agitated. It was that subject which they had reason to expect would have occupied the time of the House during the present evening. He further felt himself justified in the course which he was about to adopt by the House having been taken by surprise. The proceedings of Ministers on this subject were such as would not bear examination: a remarkable instance of this occurred on Friday night last; the debate excited so little attention or interest, and was so languid, that, though the time was before ten o'clock, and though the noble Lord at the head of the Government had come down for the purpose of delivering an elaborate statement on an important branch of one administration, which was suspected of great misgovernment, yet the House, instead of receiving the statement and explanation which they expected from the noble Lord, were put off with a few desultory observations, and sent about their business. On that evening he left the House with an impression that the present Bill was not to be proceeded with till after the assizes. [Lord J. Russell said, that he had on that occasion informed the House that it was intended to proceed with the Parliamentary Voters (Ireland) Bill this day.] He was not denying that the noble Lord might have given such an intimation, but it was in a House of not much more than thirty Members, of whom twenty-five were asleep; the noble Lord was endeavouring to carry his Bill by a *coup de main*, but, considering the minority which had voted against going into Committee, he (Mr.

Disraeli) repeated that he was not only justified in the course which he intended to pursue, but it was his duty to persist in delaying the progress of the measure then before the House. The noble Lord could not deny that at the commencement of the Irish assizes he had prepared a long bill of fare of Irish measures: remembering then the number and importance of those measures, and bearing in mind the character of the present Bill, though not desiring unfairly to offer any opposition to the Government, he felt it his duty to resist the Motion that Mr. Speaker do then leave the chair.

LORD J. RUSSELL: Sir, I could hardly believe that the hon. Gentlemen who proposed that we should not go into Committee were serious, the main ground put forward—and a most insufficient ground for postponing any considerable Parliamentary measure — being, that the assizes are going on in Ireland. The noble Lord the Member for Colchester moved that the Bill be postponed for three weeks, but that would be just the time for the commencement of the Cork assize; and that being the case, I thought that the excuse of the assizes was merely meant to postpone this Bill for a very considerable time; and if it were postponed for a considerable time, and if we should then go into Committee, it would be interfered with by other measures, and it would be very difficult to dispose of it. The Bill has been before the House two Sessions, and the Irish people had a full opportunity of considering the principal provisions of that Bill. The hon. and learned Gentleman the Member for the University of Dublin stated, that we were supposed not to be in earnest with this Bill, because it was not pressed forward last year; and, therefore, that no great consideration was given to the provisions of it in Ireland; but if we now postponed the Bill until after Easter, and if it were then interfered with by other measures, the hon. and learned Gentleman could say so still more truly, that there was not sufficient attention paid to the provisions of the Bill, and that we were not in earnest. It appears to me that a Bill of this nature, of which the main provisions have been for a long time before the House, and have been considered in Ireland, may be considered now in Committee. I don't know the use of bringing forward a Bill in one Session, and postponing it to another, unless it be that you obtain this advantage, that when you bring it on again you are not bound to treat it as an entirely new measure, or give further time for its consideration before going into Committee. I am sorry the hon. Gentleman the Member for Buckinghamshire means to prevent us from going into Committee. He has been told elsewhere, that it is his duty to obstruct. ["Hear, hear!"] That is the word I well remember as used, as descriptive of part of the duty of Members of Parliament not in office; and I suppose the hon. Gentleman, being taught that lesson, will do his utmost to obstruct this Bill, which is intended to extend the franchises and give further rights to the people of Ireland. Whatever that obstruction may be, I shall think it my duty to insist upon going into Committee.

MR. REYNOLDS thought it his duty, as one of the Members present on Friday night, to say that he understood from the hon. and learned Gentleman the Member for the University of Dublin, that he did not intend offering any opposition to this Bill going into Committee. He (Mr. Reynolds) could assure the hon. Gentleman the Member for Buckinghamshire, that he was very much mistaken, indeed, if he thought that on Friday night twenty-five of the Irish Members were asleep. He (Mr. Reynolds) rather thought that the hon. Gentleman himself must have been asleep.

VISCOUNT CASTLEREAGH, having ascertained the sense of the House with regard to this question, and they, the Irish Members, having appealed, and appealed in vain, for a postponement, thought it was no use for those entertaining a different opinion from the noble Lord to offer any further obstruction.

MR. GOULBURN, as one of those who voted in the minority, must entirely protest against having voted for the purpose of obstruction; but the noble Lord the Member for Tyrone having stated that he wished to communicate with his constituents on the Bill introduced on Friday night, he (Mr. Goulburn) thought it but right to give him, and others similarly situated, an opportunity of doing so.

LORD J. RUSSELL: My observations did not apply to the course taken with respect to the last Motion, but to the declaration that is now made by the hon. Gentleman the Member for Buckinghamshire.

Main Question put.

The House divided:—Ayes 193; Noes 93: Majority 100.

List of the AYES.

Abdy, Sir T. N.
Anson, hon. Col.
Armstrong, Sir A.
Armstrong, R. B.

Arundel and Surrey, Earl of
Baines, rt. hon. M. T.
Baring, H. B.
Baring, rt. hon. Sir F. T.
Bellew, R. M.
Berkeley, Adm.
Berkeley, hon. H. F.
Berkeley, C. L. G.
Bernal, R.
Birch, Sir T. B.
Blair, S.
Bouverie, hon. E. P.
Bright, J.
Brockman, E. D.
Brotherton, J.
Brown-Westhead, J. P.
Brown, W.
Busfeild, W.
Buxton, Sir E. N.
Cardwell, E.
Carter, J. B.
Caulfeild, J. M.
Childers, J. W.
Clay, Sir W.
Clifford, H. M.
Cobden, R.
Colebrooke, Sir T. E.
Cowper, hon. W. F.
Craig, W. G.
Crowder, R. B.
Currie, R.
Davie, Sir H. R. F.
Dawson, hon. T. V.
Devereux, J. T.
D'Eyncourt, rt. hon. C. T.
Divett, E.
Douglas, Sir C. E.
Drummond, H.
Duff, G. S.
Duke, Sir J.
Duncan, G.
Dundas, Adm.
Dundas, rt. hon. Sir D.
Dunne, Col.
Ellice, rt. hon. E.
Ellice, E.
Elliot, hon. J. E.
Evans, Sir De L.
Evans, J.
Fagan, W.
Fergus, J.
FitzPatrick, rt. hn. J. W.
Fitzroy, hon. H.
Foley, J. H. H.
Fordyce, A. D.
Forster, M.
Fox, R. M.
Fox, W. J.
Gibson, rt. hon. T. M.
Glyn, G. C.
Goulburn, rt. hon. H.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Granger, T. C.
Grattan, H.
Greene, J.
Greene, T.
Grey, rt. hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Hallyburton, Ld. J. F. G.
Hanmer, Sir J.
Harris, R.
Hastie, A.
Hastie, A.
Hatchell, J.
Hawes, B.
Hayter, rt. hon. W. G.
Headlam, T. E.
Hervey, Lord A.
Heyworth, L.
Hobhouse, rt. hon. Sir J.
Hobhouse, T. B.
Hodges, T. L.
Horsman, E.
Hume, J.
Jackson, W.
Jervis, Sir J.
Keppel, hon. G. T.
Kershaw, J.
Kildare, Marq. of
Labouchere, rt. hon. H.
Lascelles, hon. W. S.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Lewis, G. C.
Lindsay, hon. Col.
Lushington, C.
Mackinnon, W. A.
M'Cullagh, W. T.
M'Gregor, J.
Meagher, T.
Mahon, The O'Gorman
Mahon, Visct.
Martin, J.
Matheson, A.
Matheson, Col.
Maule, rt. hon. F.
Melgund, Visct.
Milner, W. M. E.
Milnes, R. M.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monsell, W.
Morris, D.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Norreys, Lord
Nugent, Lord
O'Brien, Sir T.
O'Connell, M. J.
O'Connor, F.
O'Flaherty, A.
Ogle, S. C. H.
Osborne, R.
Paget, Lord G.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Peel, rt. hon. Sir R.
Peel, F.
Perfect, R.
Pilkington, J.
Pinney, W.
Plowden, W. H. C.
Power, Dr.
Power, N.
Price, Sir R.
Rawdon, Col.
Reynolds, J,
Ricardo, J. L.
Ricardo, O.
Romilly, Sir J.
Russell, Lord J.
Russell, F. C. H.
Rutherfurd, A.
Sadleir, J.
Sandars, J.
Scully, F.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Simeon, J.
Slaney, R. A.
Smith, rt. hon. R. V.
Smith, J. A.
Smith, J. B.
Somers, J. P.
Somerville, rt. hn. Sir W.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stuart, Lord J.
Tennent, R. J.
Thesiger, Sir F.
Thicknesse, R. A.
Thompson, Col.
Thornely, T.
Towneley, J.
Townley, R. G.
Townshend, Capt.
Tufnell, H.
Vane, Lord H.
Villiers, hon. C.
Vivian, J. H.
Wall, C. B.
Walmsley, Sir J.
Watkins, Col. L.
Wawn, J. T.
Wellesley, Lord C.
Williams, J.
Williamson, Sir H.
Wilson, J.
Wilson, M.
Wood, W. P.
Wrightson, W. B.
Wyld, J.
Wyvill, M.

TELLERS.

Grey, R. W.
Hill, Lord M.

List of the NOES.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Baillie, H. J.
Bankes, G.
Baring, T.
Baring, hon. F.
Barrington, Visct.
Bateson, T.
Bennet, P.
Boldero, H. G.
Bramston, T. W.
Bremridge, R.
Broadley, H.
Brooke, Lord
Bruce, C. L. C.
Buck, L. W.
Bunbury, W. M.
Carew, W. H. P.
Chatterton, Col.
Chichester, Lord J. L.
Cole, hon. H. A.
Coles, H. B.
Currie, H.
Dickson, S.
Disraeli, B.
Dodd, G.
Duncombe, hon. A.
Du Pre, C. G.
Forbes, W.
Fuller, A. E.
Gooch, E. S.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Halford, Sir H.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Harris, hon. Capt.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hope, H. T.
Hornby, J.
Hudson, G.
Jolliffe, Sir W. G. H.
Jones, Capt.
Knight, F. W.
Knox, Col.
Law, hon. C. E.
Lennox, Lord A. G.
Lennox, Lord H. G.
Lockhart, W.
Long, W.
Lowther, H.
Mandeville, Visct.
Manners, Lord G.
Manners, Lord J.
Maxwell, hon. J. P.
Meux, Sir H.
Miles, P. W. S.
Miles, W.
Moody, C. A.
Morgan, O.
Mullings, J. R.
Naas, Lord
Napier, J.
Newdegate, C. N.
Packe, C. W.
Plumptre, J. P.
Repton, G. W. J.
Richards, R.
Sandars, G.
Seymer, H. K.
Sibthorp, Col.
Smyth, J. G.
Stafford, A.
Stanford, J. F.
Stanley, E.
Stuart, J.
Sturt, H. G.
Taylor, T. E.
Trevor, hon. G. R.
Vyse, R. H. R. H.
Waddington, D.
Walpole, S. H.
Walsh, Sir J. B.
Wodehouse, E.

TELLERS.

Beresford, W.
Mackenzie, W. F.

Bill considered in Committee.

Motion made, and Question proposed, "That the Bill be read a First Time."

MR. DISRAELI said: Sir, the noble Lord complains of the course we have taken, and accuses us of obstructing public business. The noble Lord has referred to a passage still recollected in this House, in which the words he uses are to be found, but he did not finish the sentence. The individual by whom those words were used said, that "he was ready, and that he ought to be ready, to obstruct all measures injurious to the constitution and to the country." Sir, in my opinion that was a very legitimate description of the duty of Members of this House. But what is it that we have presumed to suggest? The noble Lord and his colleagues tell us that this is a Bill that was brought in last year; that, therefore, we must be presumed to be fully acquainted with it; and that one reason why the present Government introduces measures without the intention of carrying them, is to give hon. Gentlemen an opportunity next year of being masters of the subject. Now, that shows a confidence in the duration of Cabinets which a Whig Ministry could alone entertain. The noble Lord has also said that I have received my instructions elsewhere. Now, that is not a very constitutional nor a very courteous remark of the noble Lord. I understand that the noble Lord in his time has received instructions how to conduct himself in Parliament from many persons and from many places. But he cannot say, and he does not say, that we have received our instructions how to conduct ourselves from seditious clubs. The noble Lord, in a mode quite unworthy of him, has charged us with obstructing the business of this House in an unwarrantable manner, and has insinuated that we are guilty of factious proceedings. Now, the noble Lord is the last person in this House who ought to have made such a charge. I own I was surprised to hear this charge from the noble Lord when I remember that he was the person who brought forward a proposition in this House in which the fate of an Administration was involved—I mean the Appropriation Clause—and that when he had upset the Administration upon that clause, and when he took office upon it, the noble Lord had neither the conscience nor the courage to carry his policy into effect. Although I listen with every respect to any suggestion from the noble Lord, or any person in his position, I will not be deterred from the course which I think it my duty to take by the speech he has made. This is a question of immense importance, and, if so, it ought not to be shuffled through this House. The Government ought not to rely upon the fact that this measure, or a Bill not exactly similar, was brought forward last year, not with the intention of carrying it. I believe there never was a more constitutional course than that we are now taking. It has, however, been met in a spirit of haughty insolence; and, for my part, I shall avail myself of every means that the forms of the House will permit to oppose this Bill. And, therefore, Sir, I move that you report progress, and ask leave to sit again.

Whereupon Motion made, and Question put, "That the Chairman do now report progress, and ask leave to sit again."

The Committee divided:—Ayes 81; Noes 191: Majority 110.

List of the AYES.

Adderley, C. B.
Archdall, Capt. M.
Arkwright, G.
Bagge, W.
Bankes, G.
Baring, hon. F.
Baring, T.
Barrington, Visct.
Bateson, T.
Bennet, P.
Boldero, H. G.
Bremridge, R.
Broadley, H.
Brooke, Lord
Bruce, C. L. C.
Buck, L. W.
Bunbury, W. M.
Burrell, Sir C. M.
Chatterton, Col.
Chichester, Lord J. L.
Cole, hon. H. A.
Coles, H. B.
Cubitt, W.
Dodd, G.
Duncombe, hon. A.
Du Pre, C. G.
Egerton, Sir P.
Forbes, W.
Fuller, A. E.
Gaskell, J. M.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Hamilton, J. H.
Hamilton, Lord C.
Harris, hon. Capt.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hornby, J.
Hudson, G.
Jolliffe, Sir W. G. H.
Knight, F. W.
Knox, Col.
Lennox, Lord A. G.
Lennox, Lord H. G.
Long, W.
Lowther, H.
Mandeville, Visct.
Manners, Lord G.
Manners, Lord J.
Maxwell, hon. J. P.
Miles, P. W. S.
Miles, W.
Morgan, O.
Mullings, J. R.
Naas, Lord
Newdegate, C. N.
Ossulston, Lord
Packe, C. W.
Plumptre, J. P.
Repton, G. W. J.
Richards, R.
Sibthorp, Col.
Stafford, A.
Stanford, J. F.
Stanley, E.
Stuart, J.
Sturt, H. G.
Taylor, T. E.
Trevor, hon. G. R.
Verner, Sir W.
Vyse, R. H. R. H.

Waddington, D.	Walsh, Sir J. B.
TELLERS.	
Beresford, W.	Mackenzie, W. F.

Mr. FORBES said, he should feel it his duty to move that the Chairman do now leave the chair. The Bill had only been introduced on Tuesday last, and was not read a second time till Friday, between which day and the present it could not be supposed there had been sufficient time for the consideration of the Bill; nor had the Government given notice of their intention to press it forward so hastily. There were not many important subjects before the House; and surely time might have been allowed for the consideration of this one. At a time when the agricultural interest was waging a struggle against the rest of the world with one hand tied, it was impossible that such a measure as this could be beneficial to Ireland. He should not act consistently with his duty did he not denounce the tyrannical course the Government was now pursuing, and persist in moving that the Chairman do leave the chair.

Mr. BATESON protested against the indecent haste with which the Government were about to smuggle the Bill through the House. He would not now allude to the merits or demerits of the Bill. It might be the best Bill that ever emanated from the fertile brain of an Irish Secretary; but, to his mind, the arguments advanced in favour of postponing the further stages were unanswerable. He could only account for this haste by referring to the division of Thursday night. That division perhaps alarmed the Government so much that they thought the safety of their darling idol, free trade, was jeopardised. If this were a Bill to feed the hungry or to clothe the naked, he could account for the fevered haste with which its stages were pressed forward; but such were not its objects. As a supporter of the union between the two countries, he must say that the conduct of the Government that night furnished an eloquent argument for the repeal of the Union.

Mr. HENLEY thought the noble Lord at the head of the Government would not be able to adduce any one instance that would at all answer what, in his (Mr. Henley's) opinion, were the unanswerable arguments which had been put forward by the hon. and learned Member for the University of Dublin. He (Mr. Henley) thought he might safely defy the noble Lord to produce any one instance where a Bill of this importance and this length had been pressed forward from a Friday to a Monday, without notice beforehand, when the House had been led to suppose it would have to discuss a measure of a perfectly distinct and different character, and when that hon. and learned Member, more qualified than almost any other Member of the House to suggest Amendments on every clause of the Bill, had declared publicly in his place in Parliament that he was deprived by the course of the Government of an opportunity of putting as a Motion to the House certain Amendments which he should consider it his duty to propose. Those were the reasons which had induced him (Mr. Henley) to vote as he had done on the Motions which had been proposed; and until he had an answer from the noble Lord at the head of the Government, when he (Mr. Henley) asked him to show a precedent for such a course as that taken with respect to this Bill, he should feel it his duty to vote for the Motion of the hon. Member for Stirlingshire.

Mr. P. WOOD thought it right that the country should know what this measure was with regard to which so singular a course had been adopted. This was a measure which, having been before Parliament for the last three years— [An Hon. Member: For the last fifteen years.] Yes, for fifteen years, but more especially during the last three years; and its object was to give to Ireland, the constituency which, owing partly to bad legislation and partly to unforeseen misfortune, had been reduced to 40,000 voters in a country of 8,000,000 persons. Such an extension of the franchise was certainly required as should make the number of electors amount to about 250,000. A good deal of machinery had to be put in Motion before the Bill could operate, and unless the first step were taken before the 1st of June, there could not be any additional voters until November. He understood that the Irish assizes would not terminate until the 10th of April; and if the further stages of the Bill were delayed until that time, or until the middle of May, the effect would be to deprive the Irish people of the franchise for another year. He thought it unreasonable to ask for any postponement of the measure on the ground that Irish Members could not be present, when 75 of those Members out of 105 were now in London. If the postponement which hon. Members opposite asked for were conceded, it was perfectly clear that the Bill would have to be put off—not till the next Irish assizes—but for another year. It was quite consistent with the views of hon. Members opposite to postpone every enlargement of the franchise; but he hoped Her Majesty's Government would, on the present occasion, frustrate their attempts.

MR. W. MILES said, that if that (the Opposition) side of the House were, as the hon. and learned Member for the city of Oxford asserted, opposed to all extension of the franchise in Ireland, they would not have permitted the Bill to pass a second reading. By doing so, they admitted that the franchise of Ireland did not stand as it ought to do. The hon. Member ought to recollect that the ground on which the very first Amendment was moved to-night was, that the measure should be postponed for three weeks, so that the Irish constituencies should have thoroughly before them the amended Bill on which the assent of the House was asked. He (Mr. Miles) could not conceive that the noble Lord at the head of the Government could be more justified in acceding to a request to delay a Bill than in the present case ; and the noble Lord must have seen from the minority in the first instance that the delay was necessary consistently with a fair discussion of the principles of the Bill. If the noble Lord did not assent to a postponement in this case, so as to give the Irish constituencies the opportunity of giving their opinion upon the measure, he (Mr. Miles) hoped and trusted the House would go on using those means which a minority had at its command to show the noble Lord that in this happy country a minority could not be bound hand and foot by a majority.

MR. M. J. O'CONNELL said, there was no instance of any party having resorted to those means with either credit or success. As an Irish Member, he did not think it his first duty to attend the Irish assizes ; he had given the Bill his best consideration since Friday, and was prepared to go into Committee. The Amendments were principally as to the amount of the county franchise, which applied to the second part of the Bill ; and there was time enough before Friday to put such Amendments on the paper. And if the hon. and learned Gentleman the Member for the University of Dublin wished the postponement of any particular clause, the Government, or the sense of justice of the House, would, doubtless, grant it. Already two hours had been lost in which a portion of the Bill might have been discussed, before the Irish Members had left to attend the assizes. This was evidently a new movement, the first fruits of "a compact alliance," formed, not at Lichfield House, but not very far from it. The noble Lord the Member for the county of Tyrone wished to have an opportunity of consulting his constituents *in nubibus* or elsewhere, respecting the Bill. He trusted the Government would persevere.

LORD C. HAMILTON said, it was natural he should wish to have an opportunity of consulting his constituents on so important a Bill. Hon. Gentlemen might sneer, and talk of his constituents *in nubibus*, but if they represented a large and independent constituency, as he did, they would know what it was to consult them. Every one had been preparing speeches for Australia, instead of supposing that the present Bill would be taken to-night. He appealed to the noble Lord at the head of the Government to show any example of a Bill of this magnitude and importance, containing, as it did, 82 pages and 121 clauses, being pressed forward in this manner. The hon. and learned Member for the city of Oxford had attempted to show that they were opposed to an increase of the constituency of Ireland. That he denied. There was much in the Bill which he approved of; but he had yet to learn that because a measure had been before them for three or four years Her Majesty's Government were entitled to come down at the last, and with indecent precipitancy force the Bill through the House. He greatly desired to see some extension of the constituency in Ireland, but a measure so important ought to have the mature and deliberate consideration of the House. He asked why the Government did not, on the first day of the Session, or on the first day of the introduction of the Bill, put it into the hands of the printer ? As to his not having consulted his constituents on this question before, he begged to say that he was not in the habit of consulting his constituents with regard to the measures that he was told were not to be carried—measures which were doomed to be included in the massacre of innocents at the close of a Session, and therefore he had not taken the course which the right hon. Gentleman the Home Secretary had pointed out as a judicious course to follow. He did not consult his constituents last year upon the Bill, because he knew it was not to be proceeded with, and that another

Bill, probably new in many of its provisions, would be submitted to the House in the course of the present Session. He asked the noble Lord to point out any precedent for such a course as that now insisted on, and to explain why the House was not informed till Wednesday last what the new Reform Bill for Ireland was to be? He could assure the House that it was of the utmost importance for Irish Gentlemen to be present at the assizes, and at the meetings of the grand juries, in order to consider the various pecuniary charges which were to be met by the counties; and moreover, an excellent opportunity was then afforded of ascertaining the views of all classes of the people relative to measures like the present. He had never said, however, that the duty of attending grand juries was paramount to the duty of attending in that House. If there were defects in the measure, who so able to discover them as the professional gentlemen who would assemble at the assizes? He had always thought this House instituted for the free and full discussion of measures, and had yet to learn that it was a constitutional course thus to press forward a measure, before hon. Members had had an opportunity of consulting their constituents. From the animated cheers which had resounded in the House, he was confident they were not now in a sufficiently calm state of mind to go into Committee on the Bill.

Lord J. RUSSELL had been asked by the noble Lord who had just spoken, to show a precedent for bringing in a Bill, having it read a second time, and going into Committee upon it in the following week. He would only say that such precedents were to be found in every journal of the House. But this Bill, as he had already stated, the main propositions of which the noble Lord was so anxious to have an opportunity of considering, was introduced on the 1st of May, 1848, and the main question contained in it was known to be whether the franchise, instead of remaining what it was at present, should be based upon an 8*l.* rating to the poor. That was a most important question, and it attracted a good deal of attention in Ireland. It was much discussed in all the newspapers in that country. Political parties and societies expressed their various opinions upon it: they not only considered the main propositions in the Bill, but the Bill itself in its various clauses underwent great discussion. It was introduced again in 1849; and certainly he was surprised that the noble Lord—having been in Ireland both in 1848 and 1849, and this measure of the franchise being then a subject of discussion, many persons thinking that the franchise was in so restricted a state that the Government ought to carry through the Bill without loss of time—he was surprised that the noble Lord, who kept such a discreet silence as never to have asked one word about it, should now, when his right hon. Friend again brought the Bill in, suddenly start up and say, "This is indeed a very important question; I never thought of it before, and I must ask what is the opinion of my constituents in Tyrone upon this Bill." He had certainly heard many reasons given from time to time for delaying measures in that House; but the reason to be deduced from the particular character of the noble Lord's proposal centred on the single ground that Parliament should stop proceedings—that they should say, "Let us all go home to bed to-night, and wait till the noble Lord has got letters from Tyrone, and then he will be able to tell us whether his constituents think the franchise should be more extended than it now is, as the Government proposes, or whether it should continue restricted as at present." Another complaint of the noble Lord was, that the Government did not bring in the Bill in a printed form. This was certainly a most extraordinary accusation. Sometimes, when he (Lord J. Russell) was a young Member of that House, he had committed errors of this sort; and on one occasion he had brought in a Bill printed, but was informed by the Speaker that it was contrary to the forms of the House; and when he had been a few years in Parliament he was able to let other young Members know that Bills were brought in in a written shape, and ordered to be printed after they were read a first time. It was not, therefore, possible to bring in a Bill printed, as the noble Lord seemed to suppose. As the main propositions of the Bill had been long before the people of Ireland, and had been familiar to the Irish Members of that House, he thought they ought now to proceed to consider the details of the measure. Those who thought there ought to be some change, and those who believed there should not; all those who thought that the rate of franchise now proposed was either too high or too low, had made up their minds upon the subject; and he must say, he did not think the hon. and learned Gentleman the Member for the University of Dublin, who discussed the Bill at great length on the second reading, could be at a loss to discuss any amendments he or any other Gentleman might wish to propose. As to hon. Members not having had time to consider the true bearing of the new clauses which his right hon. Friend had introduced, any such clauses and details that required explanation he should be ready to postpone till Friday, instead of taking them up that night. But with regard to the main propositions of a Bill introduced in 1848, known in Ireland, and known in the House from that day to this; surely it was not an unreasonable proposition, not a tyrannical proposition, nor a precipitate proposition, to ask the House now to come to a decision upon it.

MR. B. OSBORNE said, that the noble Lord the Member for Tyrone had told the House that he and other hon. Friends had come down to the House with prepared speeches on the Australian colonies; he would therefore suggest to those hon. Members who had taken an early hour for dinner, for the purpose of opposing this Bill, that it would be as well to introduce some new matter in the present debate, and to make those speeches which they intended for the Australian colonies in this debate; for he was sure that, as the only object of the opposition was to delay and obstruct the measure, a few speeches on the Australian colonies would be quite as apposite as the remarks which had already proceeded from that (the protectionist) side of the House. The noble Lord the Member for Tyrone said that he had had communication with his constituents on the subject of this Bill. Now he (Mr. Osborne), although he had had no communication with the constituents of the noble Lord, still knew that his constituents amounted to just 1,360 out of the enormous population which he represented, and of these perhaps not 800 were entitled to vote, and that this Bill, if carried into effect, would place upon the register of the county for Tyrone at least 14,600 voters. He was one of those who rejoiced at the delay which hon. Members opposite had given to the progress of this Bill, as it would show to the people of Ireland the real character of the opposition. There had been great apathy prevailing in Ireland from various causes, and he was much mistaken if these proceedings did not open the eyes of the people of Ireland as to who were their real friends. It was the cloven foot of protection that was seen peeping through this factious opposition. It was not by throwing out bribes or lures of high prices to the farmers that they would be able to gain any support for that party which began the Session with better prospects than they now had. The noble Lord who was the leader of this opposition was at the head of an organised hypocrisy—["Oh, oh!"]—he was at this moment at the head, and he (Mr. Osborne) stated it before the country and to his face—of an organised hypocrisy, when he pretended that he was anxious to delay the Bill in order to obtain the opinion of his constituents on the subject. Every person knew that hon. Members opposite were perfectly satisfied with the constituencies of Ireland as they then stood; and he should have thought that a Member for the University of Dublin was the very last person who would vote for enlarging the constituency and widening the franchise of the people of Ireland. He should have thought that any Member for that place would be the most likely person to defer any extension of the suffrage to the Greek Kalends. He hoped the noble Lord at the head of the Government would go on as well as he had commenced; he (Mr. Osborne) would be perfectly ready to give him his support, and would sit there to any hour in the morning to support him against the plans of the party opposite. By persevering in his course, the noble Lord would show the people of Ireland who was their true friend, and that he was not prepared to hand over the government of that country to the tender mercies of a haughty, and he would say insolent, faction.

MR. NEWDEGATE would remind the hon. Member for Middlesex, when he taunted the noble Lord the Member for Tyrone with his constituency, that he (Mr. Osborne) had joined a party who had promised him a new constituency in the room of that of Middlesex, when another election took place. The Health of Towns Bill, which had been originally introduced into that House, had been withdrawn before a similar opposition to the present, and an amended and improved measure adopted in its stead. The conduct of Government on this question would raise a suspicion that they were anxious to divert the attention of the country from those great questions with which it was now agitated. Government was endeavouring to get them into a false position before the country by inducing the belief that Gentlemen on his side were opposed to a liberal extension of the suffrage. The noble Lord at the head of the Government said certain clauses might be postponed till Friday, but it was evident that the object of the noble Lord was to prevent the consideration of any amendment that might be proposed. The object of Her Majesty's Ministers was to divert the attention of the country from other questions, and, if possible, by a trick in Parliament to misrepresent the opinions of Gentlemen on that side of the House, who were as anxious to extend the constituency as any other Gentlemen in that House could be. The best proof of that was that they offered no opposition to the second reading.

Mr. BRIGHT said, he was not one of those who was disposed to complain of a fair and legitimate exercise of the forms of the House. He had no objection to that which the majority sometimes considered a factious opposition. He had been in minorities which had divided several times when those who were opposed to him accused him of high crimes and misdemeanors. But it appeared to him that a minority should at least have something like a fair case. He had listened with attention to the arguments in favour of the course which hon. Gentlemen opposite pursued. That which had just been put forward by the noble Lord the Member for Tyrone had been most completely disposed of by the noble Lord at the head of the Government. It was the first time he had ever heard that the whole proceedings of that House were to be put in abeyance because some hon. Gentleman had not taken care to consult his constituents. Another argument was, that hon. Gentlemen wished to attend the assises. But what could be more fanciful and absurd than to suppose either that it was absolutely necessary for the Irish Members to go to the assizes, or, if they should go to the assizes, that it was absolutely necessary for that House to postpone this important business on their account? The business of that House should be paramount to all other business; and neither lawyers going on circuit, nor Gentlemen going to attend the assizes or quarter-sessions, had any right, or pretence of right, to ask that House to put aside any important public business for their convenience. Then, with regard to the argument founded on their ignorance of the Bill, it was as groundless as the other was untenable. The noble Lord the Member for Tyrone argued at great length on the short time the Bill had been in Members' hands. But it must be borne in mind that it had been agreed, ever since the Bill made its appearance, that no opposition should be made to the principle on which it was founded. Everybody knew that on Friday night, because it was known that the principle of the Bill had been admitted, from conviction on this side of the House, and from necessity on that. They were aware, therefore, that they must look for the discussion in Committee, and not on the second reading. There was, then, no weight whatever in the argument derived from the delay between the second reading and the committal of the Bill. The hon. and learned Member for the University of Dublin said that he had many serious amendments to urge upon almost every clause of the Bill. The hon. and learned Gentleman had left the House— ["No, no!"] He (Mr. Bright) had thought he had done so, and regretted it was not the case, because he could not now say what he was going to observe—that he had left the House rather than be a party to the present opposition. It had been reported that hon. Gentlemen opposite had a meeting to-day on this question, and it was rumoured on his side of the House, that besides coming to a resolution to oppose the measure, they had resolved also to dine before they came to the House, thus gaining advantage over them, who had no knowledge of the opposition which was about to take place. [*Laughter.*] From what he knew, confirmed as it was by the discussion which had taken place, the conclusion to which he came was this, that hon. Gentlemen opposite believed there was something in this Bill very much adverse to the policy which they endeavoured to persuade Parliament to adopt with regard to Ireland—that they were afraid to give to any portion of the inhabitants of that country that political influence to which, by the Union, by the constitution so much boasted of by hon. Gentlemen opposite, by every right which any subject of this realm could claim, they were fairly entitled. His conviction, therefore, was, that the proceedings of that evening were not dictated by any other reason than the desire of keeping the people of Ireland in the power of the minority, and ruling her, as heretofore, through the "paltry remnant of an expiring faction," as Lord Stanley once called you. Therefore it was that they opposed this measure with so much pertinacity. A noble Duke in another place had threatened the country with a dissolution of Parliament; and their tactics that evening showed that they looked to such an event. But he believed no person had less reason to fear a dissolution of Parliament than the hon. Gentlemen who sat on his side of the House. But if they were to have a dissolution of Parliament, his only objection was, that it should take place with one-third of the united kingdom in its present state, with its constituency gone to the United States, to the colonies, to the workhouse, or to the grave. If the constituency of Ireland is ever to be increased, let it be done speedily. Let them not suppose that they would gain strength in Great Britain by a policy, which, by driving them to a dissolution, in the hope that a larger number of Irishmen pledged to protection would be returned to that House, would deprive the people of Ireland of a real representation in that House. He was delighted that the noble Lord at the head of the Government was convinced of the object of the opposition that evening, which was no other than that the minority should henceforth, as they had done heretofore, rule in Ireland, and force the Imperial Parliament to uphold the supremacy they had so long enjoyed. Throughout Great Britain such a course of policy would receive no sanction, and he believed the noble Lord could do nothing more likely to strengthen his position throughout the three kingdoms than by a manful determination that, whatever became of the duration of Parliament, and even of his Cabinet, this measure, which he admitted did not go far enough for him, should pass through Parliament in the present Session. He therefore hoped the noble Lord would stand by his measure, which was one of great importance to the country and to the character of the Administration over which he presided.

LORD J. MANNERS said, the hon. Member who had just resumed his seat had laid down a general proposition from which he was not disposed to dissent, namely, that the business of the House and of the country should not be postponed to suit the convenience of individual Members. And to that proposition he (Lord J. Manners) would add, that neither ought the convenience of Government to be consulted when important measures were before the House. According to an arrangement which had been made some days ago, a most important debate respecting the administration of the affairs of the colonies was fixed for that night; but it appeared that the Government, for some reason best known to themselves, contrived, at a late hour on Friday night, to substitute the present Bill on the Order book, thus endeavouring to pass a most important measure through the House by surprise. He was sure that every hon. Gentleman on that (the Opposition) side of the House had every disposition to meet the noble Lord frankly on the colonial question; but the noble Lord had not observed the ordinary courtesies of the House. For his (Lord J. Manners') own part, he entirely repudiated the accusation of the hon. Member for Middlesex, that the Opposition was not acting with *bonâ fides* on that occasion. The second reading of this Bill was allowed to pass almost *sub silentio* on Friday, and because they asked for fair and ordinary time to discuss the details of the measure, the noble Lord and hon. Gentlemen who supported the Government turned round and taunted them with being parties to all sorts of underhand proceedings, disgraceful combinations, and he knew not what besides. He repudiated with the utmost scorn and contempt every accusation of that sort; and he would say for himself, and those hon. Gentlemen who had taken a similar course to himself, that they intended to persevere in that course, and they would thus teach the noble Lord a lesson which he hoped he would not soon forget. Hon. Gentlemen on that (the Opposition) side of the House were prepared to discuss this Bill in a spirit of the utmost fairness and liberality; but they would not be forced into a premature discussion of it simply because Her Majesty's Government had, for reasons best known to the noble Lord, taken this Bill out of its ordinary course, and thus given the go-by to a discussion of the greatest importance on the administration of colonial affairs. If the noble Lord was not satisfied with the opposition which had been already given, he could assure him that he should have plenty more of it.

Question again proposed, "That the Bill be read a First Time." Whereupon Motion made, and Question put, "That the Chairman do now leave the chair."

The Committee divided:—Ayes 70; Noes 146: Majority 76.

MR. GROGAN said, the Gentlemen on his side of the House required more time to deliberate on the important measure then under discussion than from Friday night to the following Monday night. There were portions of the Bill which were most unobjectionable, and other portions, particularly the franchise portion, about which considerable doubt and difficulty prevailed. It had been said by hon. Members who were anxious to pass the measure, that "great excitement existed in many counties and districts of Ireland in reference to the Bill." Now he denied that altogether. ["Oh, oh!"] Let hon. Members point to a single petition introduced from Ireland on the question. But he did not want to waste the time of the House. However, having entered on the course which hon. Gentlemen on his side of the House thought fit to adopt, he would persevere, and move that the Chairman do now report progress.

Mr. NAPIER said, before the House divided he wished to make a few observations, which might have the effect of saving much valuable time. As far as he (Mr. Napier) was concerned, it would be much more convenient, and consequently preferable, to go on with the Bill that night than ten days or a fortnight hence, because, professionally, he was acquainted with all the provisions of the Bill. But he certainly thought that in the case of Irish county Members, who declared the measure came on them by surprise, and that they consequently required time to make themselves acquainted with its details, a postponement might be acceded to. ["No, no!"] He assured the House he was far from offering the present Bill anything like a factious opposition; yet he thought he would be acting an unworthy part did he express his disapproval of the means adopted by these hon. Gentlemen—means which the forms of the House sanctioned—in order to secure time for deliberation. He suggested that parts of the Bill might be gone into that evening in reference to which there was no division of opinion; and that the other parts, on which hon. Members for Irish counties might wish to confer with their constituents, should be postponed to a future night. The matter was one of serious, of vital importance; and, therefore, he entreated the noble Lord at the head of the Government to adopt his suggestion, and that the House would discuss with temper and patience the various details of the Bill.

Lord J. RUSSELL said, the suggestion of the hon. and learned Member had been made in so temperate a tone that it deserved some reply on his part, and he entirely concurred with the hon. and learned Gentleman, that a question of this importance should be discussed fairly upon its merits. The hon. and learned Gentleman had said that some parts of the Bill might be discussed now, while other parts, which county Members from Ireland required more time to consider, might be postponed. That, upon the face of it, appeared a very fair proposition; but there were some parts of the Bill, which it appeared to him ought to be taken into consideration now, which those county Members might wish to be postponed; he alluded particularly to that portion of the Bill which fixed the county franchise. He did not consider that to require postponement; as it was a point upon which every hon. Gentleman must have already made up his mind. That question had been two years before the public, and during that period it was well known what the plan of the Government upon it was. One hon. Gentleman who spoke on Friday night took a very mistaken view of it. He said that there ought to be a 25*l.* franchise, which would then only be half the franchise for counties in England; but he must have forgotten that the 40*s.* franchise had been abolished in Ireland. If hon. Gentlemen wished for a 20*l.* or a 25*l.* franchise, let them make that proposition as an Amendment to the Bill, or let them move that there should be a tenure for life, or for a certain number of years, joined with the 8*l.* franchise. He should abide by the Bill as it stood; and if any hon. Member was in favour of raising the amount beyond the 8*l.*, or of attaching any tenure to it, that was a question which he was prepared to discuss. If the hon. and learned Member for Dublin University meant that the House could then proceed with that question, and that there were other matters on which he had amendments to offer of an intricate nature, and which required consideration, he (Lord J. Russell) was certainly prepared to enter into the spirit of the hon. and learned Gentleman's proposition. But if he merely intended that the House should consider only the registration clauses, and agree to all those parts of the Bill which conformed with the measure that was introduced by Lord Stanley on that subject, and postpone altogether the clauses relating to the franchise, he begged to say that that was a course to which he could not consent. The county franchise in Ireland was now enjoyed by little more than 30,000 persons, and the object of this Bill was to extend that franchise, so that about 200,000 persons should have a vote. It was, in fact, a question of principle, and one therefore which the House was now quite prepared to discuss.

Mr. F. MACKENZIE concurred in all the reasons for postponement which had been urged by every Gentleman who had spoken on his side of the House. But he thought the Committee must now be aware that the noble Lord at the head of the Government, in answer to the very temperate speech made by the hon. and learned Member for the University of Dublin, had made no concession on this point. In the course of his Parliamentary experience he had seen a great many contests of this description, and he differed from the hon. Member for Kerry, who said that he never knew an opposition of the kind which had been attended with success, whereas he (Mr. Mackenzie) did not recollect one which was not successful. He recollected the time when the former hon. and learned Member for Dublin, with only ten Members at his back, defeated the Government on a Motion for an adjournment. He recollected when the late hon. Member for Kendal (Mr. Warburton) succeeded in adjourning the discussion on the Copyright Bill, not on the ground that any of his friends were going to the assizes, but because they had gone to a Radical dinner. Though the conduct of the Government was unprecedented, the course taken by the Opposition was certainly not without precedent.

Mr. SADLEIR did not rise to prolong the discussion, but for the purpose of stating a fact of importance to the Irish people. He wished to state that in the Bill which they were then considering there were only two new clauses, which were separate and distinct from the Bill which had been before the House in 1849 and 1848. Therefore, there was not the slightest ground for complaint by Irish Members that they were taken by surprise; because these clauses did not in the least affect the principle of the Bill, the sense of which was contained in the first three clauses.

Colonel CHATTERTON said: Even if I were disposed to agree in every clause of the Bill now under discussion, I should feel it my duty, as a Member of this House, to protest against and oppose its introduction, from the very indecent and unconstitutional manner Her Majesty's Ministers now attempt to force it upon the country. No person, Sir, is more aware than I am of the necessity of the increase of the franchise in the counties in Ireland—no person more disposed than I to grant them every legislative privilege; but I cannot consent to have this measure, now brought forward with such indecorous haste, without more time being given for its proper and unbiassed discussion. I feel myself exactly in the same predicament with my noble Friend the Member for Tyrone. I was most anxious to consult my constituents upon this important measure, as I think it the duty of every Member so to do; but I was prevented by this precipitancy. The Bill was printed on Wednesday, and I immediately forwarded several copies to my constituents for their perusal and advice. No reply could as yet be received, and for this reason alone I would feel it my duty to take no active part in the discussion until I heard their opinions, which I should ever be desirous to consult. My opinion, Sir, is, that this Bill as deeply concerns England as Ireland; for I consider it to be but the forerunner of another Reform Bill for England. This is another reason for mature deliberation. My hon. and learned Friend the Member for the county of Dublin has alluded in flattering terms to my return for Cork on protectionist principles. This reminds me, Sir, of an assertion made a few evenings since by my hon. Colleague—that I did not represent the constituency of Cork, and, therefore, did not possess their confidence. Now, Sir, I appeal to the House, if it is within the reach of either possibility or probability, that a body of men, nearly 800, some of the highest respectability, would so far stultify themselves with the world and with this House as to use such exertions for me as have procured for me the high honour of a seat in this House, if I did not possess their full confidence? There was no taking by surprise—no want of choice: it was quite an *embarrass de richesse;* for ten candidates were in the field soliciting the favour of "the beautiful city." My hon. Colleague has also asserted that the chairman of my committee was a free-trader, and that protection had no influence whatever in my return. Now, Sir, to both these assertions I give the most unqualified denial. The chairman of my committee was not a free-trader, and I lately received a letter from my friend entreating I would remove that slur from his character. Now, as to protection having nothing to do with my return, I shall merely assure the House that many of my constituents who upon the occasion of my three former contested elections used every means, both personal and political, to prevent my return, upon this last contest voluntarily came forward and gave me their support, upon the sole condition that I would advocate protection in this House. No doubt, strange things are done in the sister kingdom; but that extraordinary election anomaly, of free-traders supporting an avowed protectionist, and electors returning a person who did not possess their confidence, is yet to be perpetrated.

Mr. ANSTEY thought that the hon. and gallant Gentleman who had just sat down had not paid a very handsome tribute to his constituents when he said that not one of them understood the Bill under discussion, which was so exceedingly intelligible. He appealed to hon. Gentlemen not to wear the appearance, as they repudiated the intention, of a factious opposition. They were all agreed upon the principle of the Bill, and why not accept the proposition of the noble Lord at the head of the Government, which was so exceedingly reasonable? The Bill was not a new one, but was before the House last year. If a measure was to be postponed until constituencies could deliver their opinions upon it, the House would set a very dangerous precedent. The Bill in itself was intrinsically good, and therefore could not be open to the appellation of revolutionary.

Captain HARRIS thought, from the silence of the hon. Members on the other —the Ministerial—side, that they were gradually coming to a conviction that the conduct of the Government was unjustifiable. Those hon. Members had attributed to hon. Gentlemen on his side of the House motives and feelings for which there was no authority. They pretended to be acquainted with even the state of their stomachs—whether they had dined or not. Why, he took up the *Times* of that morning, and saw a letter from the hon. Member for Glasgow, in which he spoke of the Motion last week of the hon. Member for Buckinghamshire as a Satanic temptation. If it was said that hon. Gentlemen on his side of the House wished to maintain the present franchise in Ireland, he would remind the House that every hon. Member that had risen on that side of the House had positively denied it. He was one of twenty-five Members in that House on Friday night, who had been accused of being sleepy; and well they might be after a two o'clock division the same morning, yet, with this scant attendance, the noble Lord hurried the Bill through the second reading and into Committee with most indecent haste the following Monday. This was nothing less than a new Reform Bill for Ireland; and he would ask the noble Lord whether, if it were for England, he would have taken the same course? Members representing English counties would have opposed the progress of the Bill, and he had no doubt that the noble Lord would have given way. This Bill was brought in in 1841; the registration part of it by Lord Stanley, in 1840. In 1841, the *5l.* rating clause was brought in, but the Government gave way, and the *8l.* clause was substituted. Afterwards, Earl Grey, then Lord Howick, suggested something over and above *8l.*, and this measure was discussed at that period; but was that a reason why a Bill, with many clauses of a totally different character, introduced at an early period of the Session, before the month of February was out, should be forced on with so much haste? It was his conviction that this was but the forerunner of further English reform. It was to be a test of the feelings of the country. It bore that character, and some of the clauses might be proposed for the most radical constituency. He believed, however, that if this Bill passed, the noble Lord would bring on his right flank such a body that he would bitterly regret it.

Mr. W. FAGAN denied that he had ever stated that his hon. and gallant Colleague had not the confidence of his constituents; but since it had been alluded to, he had now no hesitation in saying, that the hon. and gallant Member had not politically the confidence of the citizens of Cork. He admitted that he had been mistaken in saying that the chairman of the hon. and gallant Member's committee was a free-trader; but the gentleman who proposed him was a free-trader, and so was the hon. gentleman who subscribed the largest sum for his return. Would the House allow him to analyse the list of voters who gave their suffrages to the hon. and gallant Member? 400 of those voters were not protectionists. He thought, then, he was right in saying that protection had had nothing to do with the hon. and gallant Member's election; and, if a new election took place in the next two months, he ventured to assert that protection would get no favour in Cork.

LORD C. HAMILTON said, that not being in the confidence of the Government—not having, like hon. Members opposite, constant communication with the Government, hon. Gentlemen on that (the Opposition) side were not aware that the Government brought forward, last year, a Bill for the sole purpose of withdrawing it, and bringing it in again this year. The hon. Member for Carlow had spoken of this being the same Bill as the Bill brought in last year, except as to two clauses; but the hon. Gentleman was in error in supposing that merely introducing a Bill and then withdrawing it was the same thing as taking the sense of the House upon it. That was a new theory of constitutional legislation. This Bill had never been sanctioned by the House.

MR. NEWDEGATE would be exceedingly glad if some hon. Gentleman would explain the reasons why the Roman Catholic clergy, who had been such determined free-traders, had suddenly become protectionists.

Question again proposed, "That the Bill be read a First Time." Whereupon Motion made, and Question put, "That the Chairman do now report progress, and ask leave to sit again."

The Committee divided:—Ayes 63; Noes 155: Majority 92.

MR. ADDERLEY felt if the course which was pursued on that occasion by the Opposition was unconstitutional, he, for one, would not persist in it; but, on the contrary, he felt that the Government was not proceeding in a constitutional manner. The Government had jumbled the Bills they had introduced in such a manner that they hardly knew themselves what business would come on, and it was utterly impossible for independent Members to tell. Notice had been given that the Bill for giving a constitution to the free Australian colonies would be brought forward to-night; but this arrangement was changed the last thing on Friday, and it was announced that Her Majesty's Ministers intended to proceed with the Irish Reform Bill. That they should thus suddenly shift their ground, by passing from one important measure to another, was too much for the House patiently to submit to. What he complained of was, that the great subject of conferring constitutions on some of our most valuable colonies, and which was ripe for discussion, and upon parts of which it was of great importance to obtain the decision of the House, had been suddenly shifted over, and they were called upon to proceed with another important measure which had only been four days in the hands of Members. Her Majesty's Ministers evidently believed that some of the divisions in the Committee on the Australian Colonies Government Bill would be adverse to them. They, therefore, were afraid to proceed with it. The noble Lord at the head of the Government stated that the object in this postponement was to enable him to lay some papers on the table, illustrative of the subject; but surely this might have previously been done. If large measures like these, for giving constitutions to our colonies, and for the reform of the Irish constituencies, were to be shifted about in this manner, it would be better for independent Members to give up their attendance, and allow Government to proceed as they pleased. No one who was called upon to vote on the measure before the Committee had had time to give a proper consideration to its details. He knew that hon. Gentlemen opposite wished this Bill to pass without a division or debate; but it was a matter that required much consideration. The hon. Member for Manchester would pass any Bill which would extend the franchise; and this was the case with other hon. Gentlemen who believed that the extension of the franchise would prove the panacea of Ireland. It was the opinion of his hon. friends, as well as his own, that the Bill should be maturely considered before it was passed, if it was intended to do good to Ireland. Under these circumstances, he should move that the Chairman now leave the chair.

COLONEL SIBTHORP felt it to be his imperative duty to persevere in opposing Ministers, whose only object in introducing the Bill was to keep their seats on the Treasury bench. The manner in which they attempted to smuggle this important measure through Parliament was disgraceful. They claimed a majority on the Motion of the hon. Gentleman the Member for Buckinghamshire; but if the paid occupants of the seats on the right of the Speaker's chair had not voted they would have been in a minority. Hon. Gentlemen might accuse him of being factious; but what they called factious he considered constitutional and proper; and the Opposition was bound to avail itself of all the forms of the House to teach the Government their duty, since nothing else would teach them. Ministers were, after all, but the servants of the people ; and there was nothing more unbecoming than that those who were clothed, fed, and pampered by the people should be the last to consult their wishes or their interests.

Mr. REYNOLDS: The House was now about to go to the sixth division since Mr. Bernal had taken the chair. He supposed hon. Gentlemen over the way would not allow him to call their hostility to the Bill factious, unless he put the addendum of the hon. Gentleman the Member for Buckinghamshire, that it was a factious proceeding for a constitutional object. He could not conceal his surprise at the conduct of the hon. Member for North Staffordshire, who seemed so desirous of conferring elective chambers and constitutional privileges upon the inhabitants of a distant colony, but would withhold them from his fellow-subjects at home. [Mr. Osborne: " 'Tis distance lends enchantment to the view."] He thanked his hon. Friend the Member for Middlesex for reminding him of the line he had just quoted. He thought, from the zeal of the hon. Gentleman the Member for North Staffordshire in asserting the privileges of the people of another hemisphere, that he might have claimed him as a Repealer. Alas ! Irishmen were not to claim his paternal solicitude. His sensibility and tenderness were for the Australians, not for the Irish. He would not say that hon. Gentlemen opposite were playing " fantastic tricks before high Heaven," but they certainly were proceeding in a manner likely to provoke unpleasant inquiry out of doors. He entertained no feeling of ill-will towards hon. Gentlemen opposite; but if he did so, he could be gratified to his heart's content, for they were following the example of a certain animal that would be nameless, who swam until he cut his throat. They were working out that principle. Some Irishmen believed that hon. Gentlemen opposite—the protectionists and their leaders—meant kindly to Ireland. This night's proceedings would effectually dispel that delusion. Hon. Gentlemen opposite placed themselves in a wrong position. For his own part, he sometimes supported and sometimes opposed the Government, but had of late regretted to see they were fast become politically insolvent—they were losing their political capital daily, and the *Gazette* seemed inevitable, when hon. Gentlemen opposite set them up again. Why what would be said in Dublin ? Oh, they would say, we thought the Government were quite indifferent to our welfare; but there is Lord John Russell fighting like a game cock for the Irish franchise. The hon. Member for Buckinghamshire at one time seemed to have taken Ireland under his especial care and protection. That species of protection the Irish people would now know how to estimate. During the discussion of the Irish Coercion Bill, the hon. Gentleman spoke of a class of persons whose name he could only whisper in that House—whose loyalty was regarded as a crime, and their religion a reproach—he alluded to the Protestants of Ulster; but he begged leave to remind the hon. Gentleman that this House had a whispering gallery, and that its echo was heard upon the Irish side of St. George's Channel. He cautioned hon. Gentlemen against proceeding in this angry manner when an attempt was made to confer constitutional rights on the people of Ireland, for it might confirm them in the belief that nothing but a repeal of the Union could do them justice, seeing that every reasonable endeavour to benefit them was met by a factious opposition.

Lord C. HAMILTON hoped that the Irish people would become acquainted with what was taking place in that House upon this occasion, and then they would know that the Government were attempting to deal with an important measure affecting the constituency of Ireland in a way in which they would not venture to act with respect to an English turnpike Act. The noble Lord at the head of the Government had not replied to the question whether any Bill of the same description had ever been brought forward in the same manner. Ireland was entitled to see measures affecting her interests receive the calm deliberation accorded to measures affecting other portions of the empire. She ought not to be treated as Ceylon had been treated—like a hostile community. But the discussion of this measure had been made to depend on the contingency of another Bill not being brought forward. No such uniform rating existed as the machinery of the Bill required, and the only evidence produced in support of it was a document which had, in all probability, lost its value as an authority in consequence of the changes now going on in the state of property.

This Bill was only printed on Wednesday, and they had been told its object was to increase the constituency in Ireland from 60,000 to 200,000 voters, and the House was called upon to sanction its details without any interval for consideration. It was contrary to the usual proceedings of Parliament that a Bill to make such important alterations should be urged forward in such a manner. He maintained, in legislating for Ireland, that that country was entitled to the same respect and attention as was shown with regard to English measures. He hoped all Ireland would know what had occurred in the House that night.

MR. DISRAELI said, that if he and his friends had lost the confidence and affections of the Irish people, by making this effort to secure in the transaction of Irish business the same courtesy and decorum which were observed in the transaction of English business, they must endeavour to bear that consequence as they could. Hon. Members opposite thought an increased franchise a universal panacea. His own opinion, if he were to give one on this Bill, was, that, large and liberal as the measure might be, if it were large and liberal, it was probably those who brought it in that would burn their fingers with their own invention. The more the franchise was enlarged the more were those turned out who were most eulogistic of extension of the franchise; and, whether in England or in Ireland, whatever experiments might be tried in either, many of those who were most loud-mouthed in the advocacy of such a measure as the present, might, when the newly-constructed Parliament was called together, most probably not be found among its Members. There was only one point now really of importance. Had Her Majesty's Government acted ingenuously towards the House in the conduct of this business? There were, he thought, ample facts before the House to enable them to form a candid and impartial opinion; and whether those who desired a postponement of the measure were beaten by numbers or not, there could be no doubt that, eventually, the judgment of the House and the country on the course which had been taken would settle down to a fair conception of the merits of the case. No one denied that the measure was one of great importance; if it were not so, it ought not to have been introduced at all. All the arguments, which had been repeated *ad nauseam*, in favour of the course taken by Her Majesty's Government, were, that the Bill, though important, was not novel. [*Laughter from the Ministerial benches.*] One of the arguments used by the Gentleman who had just indulged an unmeaning laugh was, that the Bill was fifteen years old, and had been introduced by Lord Morpeth. None could have greater respect for that noble Lord than he (Mr. Disraeli) had; but, at the same time, he did not know it was understood in the House of Commons, that, if a measure had been introduced fifteen years ago by Lord Morpeth, that was a sufficient reason why it should receive the sanction of Parliament. Lord Morpeth proposed a grant of 5,000,000*l*. for Irish railways. If he (Mr. Disraeli) repeated that proposition to-morrow, would hon. Gentlemen support him? The argument based on the statement that this was not a novel measure, had no strength whatever. The Bill might have been introduced last year, but who read it last year? Who would study a Bill which the Government said they were not prepared to carry into effect? But even if the Bill had been introduced last year—even if the noble Lord, in doing so, had made one of those explanatory statements in which he so much excelled, and which was calculated to be retained in the recollection of the House—even if the matter had gone to a discussion—if the measure had gone through the wise constitutional stages their predecessors had devised, in order that public opinion might not be taken by surprise, and the House of Commons not be betrayed into immature and factious legislation, was that any reason why in this Session the same decorum should not be observed—why the same candid treatment should not be shown, which, whoever might be Minister, he hoped would always be accorded to the House of Commons? The Committee would judge whether he was indulging in imaginary assumptions, and whether he was not founding his argument on details the authenticity of which none could question. He looked at a most authentic document on the table—the Speech of Her Majesty on the first day of the Session. In that speech they were told that "some of the measures which were postponed at the end of the last Session, for want of time for their consideration, will be again laid before you." ["Hear, hear!" *from the Ministerial benches.*] "Hear, hear!" he waited for that cry; he expected it. That cheer was meant to signify that the expression applied to the present Bill. No such thing. The Speech proceeded, "Among the most important of these is one for the better government of the Australian colonies." So far as regarded the announcements in Her Majesty's Speech, and the subsequent declarations of the Minister, the House was to be prepared for a Bill for the better government of the Australian colonies. But did the Speech proceed to speak of the present Bill in similar terms? "Her Majesty has directed various measures to be prepared for the improvement of the condition of Ireland." These were of a new character. This was a catalogue of new measures to be prepared, not of ancient Bills which could not be passed last Session for want of time. What was the list of new measures prepared "for the improvement of the condition of Ireland?" The mischiefs arising from party processions, the defects of the laws regulating the relation of landlord and tenant, the imperfect state of the grand-jury Acts, and the diminished number of electors for Members to serve in Parliament, would, together with other matters of serious consequence, form the "subjects" of these new "measures." The measure for the government of the Australian colonies was put in a more ostentatious position, among the measures which could not be passed last Session, that being a measure which had been matured, and which the noble Lord had snatched, as it were, from the Under Secretary for the Colonics, as if he were himself alone capable of undertaking the perilous duty of dealing with such important questions of colonial policy. After such an exposition of the intentions of Government with reference to their colonial policy, was it fair that all these announcements should assume the character of a mere attempt to play with the House and beguile their senses —should appear not to have been made for the purposes of sound substantial legislation, and that at the last languid hour of last week's business the card should be suddenly changed, and another measure, which Her Majesty's Speech proved to be a new measure, thrust on the attention of the House of Commons? There was other evidence that on the part of the Government there was no intention previously of forcing the measure forward. Not only in the Speech from the Throne was it placed in a subordinate position, as contrasted with old tried seasoned measures which could not be passed for want of time last year, but the confidential agent of the Treasury bench, who arranged the business in the red book, had so disposed it that on turning to February 25th, the order intended would be found to be Process and Practice (Ireland) Bill; Australian Colonies Bill; Pirates Head-money Bill; Registration of Deeds (Ireland) Bill; Landlord and Tenant (Ireland) Bill; and then followed the Parliamentary Voters and Elections (Ireland) Bills. The precedence given to five or six measures of great importance proved that it was not the intention to press the Bill to-night. There had not been that candid ingenuous conduct on the part of Government which was due to the House, and especially to the minority. The noble Lord at the head of the Government might not think the point of great importance, or condescend to vindicate himself. But in the disposal of business in a great popular assembly, that business could not be carried on pleasantly and profitably without an understanding such as is usual, that the leader of the House of Commons, whoever he might be, should take care that his conduct for fairness on such matters should be beyond impeachment. In the present case the conduct of the Government was not beyond impeachment in that respect. In the matter of a Bill for reconstructing and enlarging the franchise in Ireland, which had been read a second time only on Friday, it was the duty of the noble Lord to see that when the measure was to be brought before the Committee it should be well heralded; that due notice should be given, so as to enable Members on either side of the House to propose their Amendments for the deliberation of the House. In these respects had the conduct of the Government been clear and faultless? If not, that was the vindication of the course which those had taken with great unwillingness who had urged postponement. It was a course which they had taken as a matter of duty; and none of the petty taunts he had heard to-night would deter them from following that course, or make him believe that, in the long run, impartial men, men of common sense, and men of business—he was not speaking of trading agitators—would fail to be of opinion that they had acted with good temper and sound discretion.

Mr. ADDERLEY wished to make but one remark, but it was an important one. It would be more advantageous to the business of the House if, when the Government had recently laid down a line of legislation, they would keep to that line. Another reason for the measures alluded to in the Royal Speech as old measures dropped last year being brought forward first was, that by the extraordinary haste in legislation which the Government had shown on this occasion, one measure was always on the heels of another, which was put aside and left in an imperfect state. Was the noble Lord aware that the Australian Bill had been left in so imperfect a condition that there was no sanction for the Government of Western Australia?

Lord J. RUSSELL thought the hon. Gentleman the Member for North Staffordshire had certainly profited by the kindly suggestion of the hon. Member for Middlesex, that, as there was a disposition to discuss the affairs of Australia, hon. Members should make all the speeches they had prepared on that subject. To propose a question on Australia, and call on the Under Secretary for the Colonies to answer, seemed to the hon. Gentleman a good course to follow, but it was one to which he (Lord J. Russell) must decline acceding. When the affairs of Australia came before the House, he should describe what was the state of the law with respect to Western Australia. But the question now before the House was whether they should or should not go on with the consideration of the Bill relating to the elective franchise in Ireland. The hon. Member for Buckinghamshire had given an historical account, which was very amusing as an historical account, but which was open to criticism as to the facts. The noble Lord the Member for Tyrone told the House that the Bill was introduced last year by the Government for the purpose of withdrawing it, and therefore, as it was introduced only to be withdrawn, nobody thought it worth while to look at it. The fact was, it was introduced with the intention of being proceeded with, and carried through, if possible; but that was prevented by the discussion of other business. There was no reason why those who wished to pay attention to the subject should not have done so last year, or why the noble Lord the Member for Tyrone and the hon. Member for Buckinghamshire should have thought it unnecessary to look into the merits of the Bill. He (Lord J. Russell) did not see how the Government were to be answerable for the attention or inattention of hon. Gentlemen to Bills brought in, as the present Bill had been, last Session. It was surely fair to ask that those Bills should receive attention. Then the hon. Gentleman read the Speech of Her Majesty *cum notis variorum*, which were not exactly conformable to the Speech; because the hon. Gentleman said Her Majesty had been advised to say—

> "The mischiefs arising from party processions, the defects of the laws regulating the relations of landlord and tenant, the imperfect state of the Grand Jury Acts, and the diminished number of electors for Members to serve in Parliament, together with other matters of serious consequence, would"—

The hon. Gentleman represented the Speech as announcing—"form the subject of new measures;" whereas the words of the Speech were, "form the subject of measures to be submitted to your consideration." As in the former part of the Speech it was stated that some measures proposed last Session would again be laid before Parliament, and as the Bill had been described as being very nearly the same as that of last Session, a key was afforded to the nature of the measure. He could not help thinking that it was not solely on account of their having had notice at six or seven o'clock only on Friday night that hon. Members were pursuing their present course; because it seemed to him that if they had really no aversion, as they said, to discuss the question of the Irish franchise—if particularly they were anxious to see an extension of the franchise—although some complaint might be made that the measure had been brought on sooner than was expected—yet, when the sense of the Committee was made apparent, and it was clearly seen that the majority were anxious to enter into a consideration of the Bill, they would have consented to that course. He did think, however, that hon. Gentlemen opposite must have a great reluctance to alter the present state of the franchise in Ireland; that there was at the bottom of these frequent divisions a real aversion, amounting almost to an antipathy, to its extension to the numbers proposed by the present Bill, together with a fear that the House might by a large majority confirm that extension, which led hon. Gentlemen so pertinaciously to oppose its progress. By one hon. Gentleman after another taking upon himself the unpleasant and rather unusual task of repeatedly moving, that "the Chairman do now leave the chair," it might be possible to delay the Bill for a time; but he was afraid that the opponents of the measure would receive no further consolation. He had the most perfect confidence that the House would extend the franchise in Ireland; that they would enable the people of Ireland at the next general election to come forward in much greater numbers than hitherto to vote for Members of Parliament; and he thought if such were shown to be the opinion of the House by such majorities as he expected would declare it, that it was likely that such would form the subject of an Act of Parliament. Then, if that were the case, would it not be better not to shrink from the subject, but at once fairly to go into it—for hon. Members to prepare their Amendments, and to decide upon them in the usual manner? It would, he thought, be much better taken, both in this country and in Ireland, if that course were pursued. People would say, "There was a fair difference of opinion—Gentlemen on one side thought the proposed extension of the franchise was not too great, whilst Gentlemen on the other side thought it so extensive as to be dangerous; the matter has been fairly decided; we find no fault with Gentlemen on either side for their opinion—it is for experience to decide which is right; but both sides have behaved in a fair and straightforward manner." He thought that such conduct, if he might be allowed to say it, would add more to their reputation with the country than pursuing a different course.

Mr. W. MILES said, it was generally admitted that an extension of the franchise was necessary, but he could not conceive that, when a moderate delay was asked, not for the purpose of frivolous and vexatious opposition, but of necessary inquiry, a Minister could refuse his assent to the appeal of the minority. He thought that when Western Australia was left without a constitution, the first duty of the Ministers would have been to have brought on the Bill for remodelling the Australian colonies; but they refused to go on with that Bill, because they perceived it would meet with great opposition in Committee, and because they thought that, backed by a large majority, they would carry without consideration their Bill for extending the franchise in Ireland. He thought that an opportunity for full and fair discussion should have been afforded to the Irish Members, who would be happy and willing to enter on the question if the noble Lord would give them time; and he could not but feel that in taking his present course the noble Lord treated them unfairly.

Colonel RAWDON expressed his regret that the question had been treated as a party question. The Bill had been sufficiently long before the House, and the people of Ireland could not forget that they had but 30,000 electors out of a population of 8,000,000, while there were in this country 1,200,000 electors. He regretted as a friend to good understanding all that had occurred that night.

Mr. HENLEY retorted, that Gentlemen on the other (the Ministerial) side of the House wanted to make this a party question, and did not treat their antagonists fairly, for if the latter had wished to make it a party contest, it would have been easy for them, instead of letting the Bill pass its second reading on Friday, with merely a few passing remarks, to have made it the subject of five or six nights' debate, and to have got up fifty Irish discussions on the one subject. They had not taken that course, yet the noble Lord accused them of wishing to prevent the extension of the franchise in Ireland. On Friday night Gentlemen on the different sides took various views of what the franchise ought to be. The very first clause of the Bill contained the pith of the question, and the noble Lord the First Minister of the Crown knew that only one division could take place on the question, whether the word eight should stand part of the Bill. Surely it was but reasonable to give time to hon. Gentlemen who held different opinions on that point. It was hard in the noble Lord to say, because this course had been adopted to secure a fair discussion, that therefore hon. Members were averse to the extension of the franchise in Ireland. He regretted the noble Lord had assumed that tone, for it was not an inducement to the Opposition to refrain as they had, from delaying, by much discussion, the progress of future measures.

Question again proposed, "That the Bill be read a First Time." Whereupon Motion made and Question put, "That the Chairman do now leave the Chair."

The Committee divided:—Ayes 70; Noes 184: Majority 114.

Captain TAYLOR repudiated the idea that hon. Members at his side of the House were actuated by factious motives in the course they had been pursuing. An appeal had been made to the right hon. Baronet the Secretary for Ireland to give some little time for the consideration of that measure; and, from the very courteous manner of the right hon. Gentleman, they thought it would have been given, and some Irish Members had actually left for Ireland upon that supposition. Motives had been ascribed to his side of the House which had been satisfactorily answered; but he did not think that any valid answer had been given by the Ministerial side of the House for having measures shuffled and the order changed. Could it have been for the unusual circumstance of forty-three Irish Members having voted against the Government that they brought forward this measure, knowing as they did that there were upwards of twenty Irish Members absent, who could not have done otherwise than voted for the Motion of the hon. Member for Buckinghamshire? He would put it to the noble Lord at the head of Her Majesty's Government whether it would not be well, after the many divisions that had taken place, to give way. He would move that the Chairman report progress and ask leave to sit again.

Question again proposed, "That the Bill be read a First Time." Whereupon Motion made and Question put, "That the Chairman do now report progress, and ask leave to sit again."

The Committee divided:—Ayes 70; Noes 185: Majority 115.

Sir J.B. WALSH said, hon. Gentlemen opposite must have been perfectly aware that when they of the Opposition side had adopted that course, they had done so from a sense of duty, and had felt a strong justification for the policy they were pursuing, when, as a minority, they had recourse to those powers of delaying the proceedings of that House which its forms imposed. They had calculated on an ultimate and speedy appeal to public opinion, and had strong grounds for the course they had pursued when they ventured to disturb the proceedings of the House that evening. He ventured to address the House because he had been one of the few Members present on Friday, and he must say, from his experience of the proceedings of that House, that he never had been present on an occasion when the minority had been disposed to enter in a fairer spirit upon the discussion of the merits of that Bill. If their design had been to obstruct the proceedings of the House by a factious course, it would have been upon that discussion, when, he should say, a more temperate exposition of the merits and defects of the Bill was never addressed to Parliament than by his hon. and learned Friend the Member for the University of Dublin. It was idle to suppose that the hon. and learned Gentleman, or any other hon. Gentleman then present, had been contemplating an obstruction of the regular course of business of that House, which would be an obstruction without sense, without reason, without foundation, but for the legitimate object they had in view, namely, the vindicating the rights of a minority, and claiming for that House the right of having a full and fair opportunity of deliberating upon the measures brought before it. That side of the House had been accused of antipathy to the measure; there were no grounds for such an imputation in the speeches delivered that night or on Friday. It was fully admitted on all sides that circumstances, brought about by the disastrous state of things in Ireland, had produced almost an annihilation of the franchise in that country, and that some remedy should be applied to such a state of things. But as to the charge of antipathy thrown out by the noble Lord at the head of the Government he (Sir J. Walsh) should say nothing could be more destitute of foundation. He thought it absolutely necessary that on a question of such vast importance as to its details that time should be given to hon. Members to discuss its merits, and place their amendments on the Notice-book of that House. He thought that Parliament, being a tribunal which had an ultimate resort to public opinion, it was absolutely necessary that the proceedings on a measure of such importance as this Bill should have time to deliberate upon these changes. It was upon that ground he considered it his duty to appeal to the noble Lord whether he could show any precedent for hastening a Bill of such vast importance—and the noble Lord did not deny its importance—and pressing it forward in a manner so as to preclude hon. Members from giving notices of the amendments they may deem necessary. It might have been a justification if there had been an earnest, deliberate, discussion upon the second reading, and the whole bearing of the subject investigated, for then the opinions of Members would have been fully elicited upon it. The disposition his side of the House had manifested to discuss the Bill in a calm, temperate spirit, should be an additional ground why the noble Lord should treat with indulgence their anxious desire to have some convenient time given for the further consideration of the measure. He had left the House on Friday evening with a full impression that Government would not press the subject to a speedy decision, and he was never more astonished than when he found they had determined to bring it on. England, Scotland, and Ireland ought to be allowed time to consider the effect of such a measure; whereas, by the present haste employed, the people would be taken by surprise. To think that at your breakfast to-morrow morning you should read that the whole constitution of Ireland had been changed in a single evening! The noble Lord had not attempted to offer a precedent for this haste, but had precipitated a measure which there had been every reason to believe would have been delayed. He (Sir J. Walsh) therefore moved that the Chairman report progress.

Mr. TORRENS M'CULLAGH said, that the speech of the hon. Baronet who had just set down was not the only intimation they had that evening, that hon. Gentlemen opposite had some misgivings that the course they were pursuing was not well calculated to raise them in the estimation of the country. The hon. Baronet had complained that they were misunderstood. That was one of the evils of pursuing such a course. But the hon. Baronet, in disclaiming antipathy to the Bill, conld not surely have forgotten his own observations on Friday evening, which intimated tolerably plainly the course which he was inclined to follow with respect to it. In every division a fresh case of delay had been assigned by hon. Gentlemen opposite. Had the Bill been forwarded a stage that evening, as it very well might have been, by the time it reached its more important provisions hon. Members might have returned from the assizes.

Lord J. MANNERS said, the first clause of the Bill was the most important of all; and after that had passed, it would be too late then to repair the mischief when the absent Members returned from Ireland.

Colonel KNOX would ask, if it was not a perfectly valid objection that all the Irish county Members were absent when it was sought to proceed with a measure involving a total change in the representation of Ireland? He could not conceive anything more outrageous to the feelings of Irish Members than the hon. Member for Dundalk getting up to defend such a course of policy on the part of the Government. It seemed to be forgotten that the right hon. Baronet the Chief Secretary for Ireland, when asked to postpone the Irish Bill affecting tenant-right till after the assizes, gave way, thinking it preposterous to go on with the measure while the Irish Members were away to the assizes. In the case of the present measure they had an equally fair and just claim to a similar indulgence; and he was glad that the hon. Member for Dublin had said that this matter would go forth to the country, as he was sure that the decision of the country would justify the conduct of hon. Gentlemen on this (the Opposition) side of the House that night. He, therefore, trusted they would persevere in the course they had taken, for he felt that unfairness and trickery had been attempted to be played upon them.

Sir W. SOMERVILLE thought the hon. and gallant Gentleman who last addressed them, could not have been present when he (Sir W. Somerville) had answered the remarks of the hon. Member for Buckinghamshire. He had then drawn a very wide distinction between the present Bill and the Bill affecting tenant-right. The latter Bill was quite a new Bill; it had been just printed, and had never been considered; and nothing could, therefore, be fairer than that time should be given to distribute it and allow it to be considered. But with this Bill now before the House, the case was very different, the Bill having been before the House on previous occasions. Why, in 1848 this Bill was read a second time, and stood for Committee. It contained this very first clause, the most important of all, as the noble Lord the Member for Colchester had stated.

Lord C. HAMILTON reminded the right hon. Baronet that the measure respecting tenant-right, which had been allowed to be postponed, was not a new measure. The former Bills on the same subject, and of a very similar character to the Bill of this Session, had been almost numberless. Therefore, there was no plea for refusing the opportunity to consider the measure in one case, and granting it in another.

Mr. STANFORD had heard with sincere pain and regret an hon. Gentleman on the Ministerial side term the opposition—the constitutional opposition—now offered by the large and powerful party on this side of the House, "an organised system of hypocrisy." He did not think it calculated to enhance the dignity of that House to bandy about such accusations. He had not learned Parliamentary tactics—God forbid that he ever should! he only acted according to the dictates of common sense and plain reason; but he must say he thought it would only be becoming if the noble Lord the First Minister of the Crown would bow to the decision of so large a number of the Members of that House, and give time for the due consideration of this measure. The noble Lord had talked of the "insincerity" of those offering this opposition; but when he remembered that the noble Lord had done nothing for Ireland but produce rebellion by misgoverning her, and then tried by stratagems to draw off the people's attention from practical measures to barren measures of mere political change, he must say he thought there was ample justification for any one to retort the charge of organised hypocrisy and insincerity upon the noble Lord himself.

MR. SCOTT thought the noble Lord had acted in a manner unfair to the House, unfair to the colonies (respecting which an important measure stood on the Notice-paper for to-night), and unfair to the Irish Members. When a measure affecting Scotland was brought forward, it was never an answer to the Scotch Members, although only fifty-three in number, to tell them they should have no time allowed for its consideration, because it had been introduced in previous years; but the learned Lord opposite, the Lord Advocate, if they brought forward measures affecting Scotland which the Scotch Members believed to be ill-judged and ill-considered, was obliged to withdraw them again and again, that time might be given for their consideration by the people of Scotland; and if in legislating for Scotland; and for the colonies, they waited to hear the opinions of the people most immediately concerned, he considered that they were bound, on the principle of "justice to Ireland," to postpone this measure until full and distinct information was in the hands of the Irish Members as to the feelings of their constituents. The noble Lord said the people of Scotland held county meetings on a particular day, to discuss legislative questions affecting their interests; but in Ireland no such custom prevailed. Well, he (Mr. Scott) considered this all the stronger reason why the Irish Members should be allowed an opportunity of collecting the sentiments of the people by the most available and legitimate means. Again, he understood that, in the course of a few days, the hon. Member for Montrose was to bring forward a measure to extend the suffrage in England, and surely this Bill for Ireland ought to be postponed till they could compare it with the measure of the hon. Gentleman for England.

SIR J. WALMSLEY thought it would be much better if hon. Gentlemen opposite would proceed to discuss the details of this Bill, instead of wasting time on matters totally irrelevant to it. He trusted that the anomaly of having a constituency of only 30,000 voters out of a population of 8,000,000, would not be allowed to continue any longer.

Question again proposed, "That the Bill be read a First Time."

Whereupon Motion made, and Question put, "That the Chairman do now leave the Chair."

The Committee divided:—Ayes 75; Noes 194: Majority 119.

List of the AYES.

Adderley, C. B.
Arkwright, G.
Bankes, G.
Barrington, Visct.
Bateson, T.
Bennet, P.
Boldero, H. G.
Bremridge, R.
Brooke, Lord
Bruce, C. L. C.
Bunbury, W. M.
Chatterton, Col.
Chichester, Lord J. L.
Cocks, T. S.
Cole, hon. H. A.
Coles, H. B.
Cotton, hon. W. H. S.
Disraeli, B.
Dodd, G.
Duncombe, hon. A.
Du Pre, C. G.
Egerton, Sir P.
Estcourt, J. B. B.
Filmer, Sir E.
Forbes, W.
Fuller, A. E.
Gaskell, J. M.
Gooch, E. S.
Gore, W. R. O.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, J. H.
Hamilton, Lord C.
Harris, hon. Capt.
Henley, J. W.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hood, Sir A.
Hornby, J.
Hudson, G.
Jolliffe, Sir W. G. H.
Knight, F. W.
Knox, Col.
Lennox, Lord A. G.
Lennox, Lord H. G.
Lowther, H.
Mandeville, Visct.
Manners, Lord J.
Maxwell, hon. J. P.
Miles, P. W. S.
Miles, W.
Mullings, J. R.
Naas, Lord
Newdegate, C. N.
Ossulston, Lord
Packe, C. W.
Plumptre, J. P.
Repton, G. W. J.
Scott, hon. F.
Sibthorp, Col.
Stafford, A.
Stanford, J. F.
Stanley, E.
Stuart, J.
Taylor, T. E.
Trevor, hon. G. R.
Verner, Sir W.
Vyse, R. H. R. H.
Waddington, D.
Walsh, Sir J. B.
Wodehouse, E.

TELLERS.

Beresford, W.
Mackenzie, W. F.

LORD J. RUSSELL then moved that the Chairman do now leave the chair and report progress. The hour was now too late (half-past eleven o'clock) to proceed with the discussion of the Bill. He proposed to take the Committee as the first order on Friday next.

Mr. NEWDEGATE hoped the noble Lord would not press it until further time had been given to consider it. Nothing but a sense of duty would have induced him to make the appeal to the noble Lord. If the noble Lord would not find it utterly inconsistent with the business arrangements for the next week, he trusted that it would be postponed until then.

Mr. W. MILES requested that the noble Lord would give time to hon. Members to consider the Amendments they might wish to make.

Lord J. RUSSELL would not then discuss the question with respect to the motives that had actuated the opposition that night; but he really thought if hon. Gentlemen had any amendments to propose, that they should agree upon them, and give notice in due form. Of course he did not mean that they should state their views as to each particular clause. As to the postponement, he did not think it consistent with his duty to postpone the Committee longer than Friday next.

Committee report progress; to sit again on Friday.

The House adjourned at Twelve o'clock.

APPENDIX.

A BETTER REPORT OF THE SPEECH OF THE ARCHBISHOP OF CANTERBURY ON "PROCEEDINGS AGAINST CLERGY BILL," February 5, 1850.

The Archbishop of CANTERBURY said: I rise, my Lords, to express my concurrence in the measure proposed by my right rev. Friend who has just sat down. It is not the habit of my right rev. Friend to leave much to be added on any subject which he has treated; and little remains for me, except to express my hope that your Lordships will give your sanction to the Bill now laid upon your table. The present state of the law, in what concerns the discipline of the Church, is confessedly defective; and the tribunal before which charges of heresy and false doctrine are ultimately to be brought, more especially stands in need of alteration. It cannot be satisfactory to the public, that a court by which cases of unsound doctrine are decided, should consist wholly of laymen. I should be as far from desiring that it should consist wholly of ecclesiastics. But a mixed board, as provided in the present Bill, consisting partly of ecclesiastical and partly of judicial functionaries, will best meet the circumstances of the case, and best satisfy public opinion.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CVIII.

BEING THE FIRST VOLUME OF SESSION 1850.

EXPLANATION OF THE ABBREVIATIONS.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading.—*Amend.*, Amendment.—*Res.*, Resolution.—*Comm.* Select Committee.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.*, Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st Div.*, 2*nd Div.* First or Second Division.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorised Report.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

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